

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: April 3, 2023

Agenda Item: 7C	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: New Business: Ordinance. First Reading	Date: March 29, 2023
Subject: Amendment to the Parkway Groups Planned Development District (PDD) creating the McDowell Corporate Center [Z-22-32]	Division: Planning and Development

Background:

The Parkway Group PDD was originally entitled in 2008 with 1,363 acres containing a variety of commercial and residential uses. Today, progress is being made on design and construction throughout the PDD with projects such as the Grande Dunes North Village, the Village at Waterway Hills, Waterside, The Preserve, the Palmetto Coast Industrial Park, and the UPS Facility.

Proposed Changes:

The applicant, Thomas McDowell, developer and agent for the current owner, has requested an amendment to the Parkway Group PDD revising the Commercial-2 section of the Apache tract into the McDowell Corporate Center. Understanding that the first conceptual-level designs of this area were predicted to change, the originally entitled PDD illustrated a total of 81,977 square feet of commercial use with 273 parking spaces in this area.

The McDowell Corporate Center proposal is 35.71 acres with 3.55 acres occupied by wetlands and 7.05 acres occupied by an existing pond to remain in the proposed development. A 20-foot-wide water quality buffer is provided around existing wetlands on the site. The site is accessed by two full driveways and three additional, right-in/right-out driveways off Water Tower Road. Elevations and renderings are only included for building one on parcel one; the architecture of this building is a modern corporate industrial in tilt-up concrete construction with colored horizontal banding. Additional buildings and sites would be detailed in future amendments, but the PDD document allows the following finishes: Colored/painted concrete, EIFS, stone, synthetic wood, split faced block or a mixture of these elements. Metal siding/sheathing is limited to 5% of any building elevation, and vinyl and cementitious siding are not allowed. The proposed elements of the corporate center are detailed in the below table:

Parcel	Building Area (SF) & Height	Parking Spaces	Other Elements
1: 7.03 Acres	Building 1: 50,000 SF, 30' Height	55 Spaces	<ul style="list-style-type: none"> • 2.5 Acres of Fences Concrete Hardstand • 12,000 SF Shed
2: 5.14 Acres	Building 2: 39,780 SF with 2-Stories (76,560 SF Total), 50' Height	174 Spaces	NA
3: 4.63 Acres	Building 3: 6,000 SF with 2-Stories (12,000 SF Total), 50' Height	169 Spaces	NA

	Building 4: 9,000 SF with 2-Stories (18,000 SF Total), 50' Height		
4: 8.35 Acres	Building 5: 57,500 SF with 2-Stories (115,000 SF Total), 50' Height	86 Spaces	<ul style="list-style-type: none"> • 38,000 SF of Concrete Hardstand • 43,000 SF Pond
5: 10.56 Acres	NA – All Common Area	NA	<ul style="list-style-type: none"> • 264,000 SF Existing Pond
Total	278,300 SF	504 Spaces,	143,900 SF Hardstand

Planning Commission Action:

The Planning Commission conducted a public hearing on March 21, 2023 and voted unanimously to approve the request. There were no public comments.

Recommended Actions:

Approve or deny the proposed ordinance on first reading

Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
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Council Action:
 Motion By _____ 2nd By _____ To _____

ORDINANCE

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH
PROVIDING THAT THE CODE OF ORDINANCES, CITY OF
NORTH MYRTLE BEACH, SOUTH CAROLINA, BE AMENDED
BY REVISING THE PARKWAY GROUP PLANNED
DEVELOPMENT DISTRICT (PDD) CREATING THE
MCDOWELL CORPORATE CENTER.**

Section 1:

That the Parkway Group PDD be amended to include updated plans, elevations, and narrative for the McDowell Corporate Center as depicted in Exhibit A attached and included in this ordinance.

Section 2:

That the North Myrtle Beach Planning Commission has provided the required public notice of this request and has held the necessary public hearings in accordance with applicable State Statutes and City Ordinances.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2023.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED:

City Manager

FIRST READING: 4.3.2023

SECOND READING: _____

ORDINANCE: _____

Exhibit A

McDowell Corporate Center

PDD Amendment

March 28, 2023

McDowell Corporate Center

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PDD Exhibit Supplement

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3. **Exhibit “B”**: Boundary Survey of the Property
4. Conceptual Site Plan
5. Schematic Utility Plan
6. Schematic Drainage Plan
7. Landscape Plan
8. Building Conceptual Elevations and Material Call Outs
9. Wetland Delineation Letter and Map

10. Master Developer Agreement

- Exhibit A Unrecorded Master Site Plan
- Exhibit B Overall Master Plan

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Exhibit “A”: Location Map

Exhibit “B”: Boundary Survey of the Property

PDD Documentation Provided in Separate Exhibit Supplement

- (i) Conceptual Site Plan
- (ii) Schematic Utility Plan
- (iii) Schematic Drainage Plan
- (iv) Building Conceptual Elevations and Material Call Outs
- (v) Landscape Plan

SECTION 1: PURPOSE AND INTENT STATEMENT

The purpose of a Planned Development District (PDD) is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new development; to facilitate the provision of livable streets and utilities, to preserve the natural and scenic features of open areas, and to provide a flexible zoning management tool that meets the needs of integrated mixed-use developments in creative arrangements [*City of North Myrtle Beach Zoning Ordinance §23-29 (Amended October 20, 2009)*].

The Parkway Group P.U.D., now known as the “Parkway Group PDD” (the “**PDD**”) was adopted in October of 2008, and encompassed several large tracts of land, totaling approximately 1,363 acres, in the aggregate. Together these parcels combine frontage along the Atlantic Intracoastal Waterway and S.C. Highway 22, and are bisected by S.C. Highway 31, forming the Southernmost portion of the City of North Myrtle Beach. The original tracts have been subdivided and in some instances, conveyed to third parties, but remain subject to both the PDD, as amended, and that certain Master Development Agreement, by and among the City of North Myrtle Beach and the original owners of each of the parcels in the Parkway Group PDD, which Master Development Agreement is recorded in Deed Book 3382 at Page 3357, and First Amendment to Master Development Agreement recorded in Deed Book 4298 at Page 2823, in the public records of Horry County, South Carolina (collectively the “**Development Agreement**”), as amended.

Pursuant to the terms of the Development Agreement, property owners within the Parkway Group PDD, their successors and assigns, have agreed to provide certain reimbursements and public benefits to the City, which are set forth in the Development Agreement. Future amendments to the Parkway Group PDD and the Development Agreement may require additional or alternative public benefits, to be determined by the City and the applicant for such amendment, at the time of each amendment.

This particular portion of the Parkway Group PDD consists of a 35.71 +/- acre triangular portion of TMS 155-00-01-054 owned by N/F Apache Properties LLC, an original party to the Parkway Group PDD and the corresponding Development Agreement. The site is bound to the North by Watertower Road, to the East by PIN 360-13-02-0001 owned by N/F Delta Investments Assoc. LLC, to the South by S.C. HWY 31 Right Of Way, and to the West by the Palmetto Coast Industrial Park. **Exhibit “A”, Location Map** provides the general project limits and reference to the surrounding area.

It is the specific intent of this PDD Amendment document (“**PDD Amendment**”) to create and maintain a corporate industrial park, focused on commercial, light industrial and distribution businesses positioned so as to take advantage of the proximity of transportation corridors created by S.C. Highway 22 and S.C. Highway 31, while maintaining separation from the surrounding residential communities, accommodating small, medium and larger businesses (the “**Project**”).

All development within this Project will be regulated by the terms of the Master Site Plan, approved ordinance, the City of North Myrtle Beach zoning ordinance, and other applicable codes and ordinances of the City of North Myrtle Beach. *The definitions applicable throughout this Document are set forth in Section 23-2 of the City of North Myrtle Beach Zoning Ordinance.*

SECTION 2: LEGAL DESCRIPTION

Those certain pieces, parcels or tract of land lying and situated in the City of North Myrtle Beach, Horry County, South Carolina, and being more particularly shown and depicted in **Exhibit “B”, Boundary Survey** attached hereto (hereafter the “**Property**”).

SECTION 3: PROJECT DEVELOPER AND TITLE

The Project title of this development is “**McDowell Corporate Center**”. The developer is MCC Watertower 1 LLC, and its related affiliates. The term “**Developer**” throughout this Document will include all subsidiaries and affiliates of MCC Watertower 1 LLC, and the term will also include any of its successors in interest or successors in title and/or assigns by virtue of assignment or other instrument.

SECTION 4: SITE PLAN

A separate Exhibit Supplement to this Document, submitted together with this Document, contains the PDD Documentation, including the Master Site Plan depicting the parcel, which has been surveyed, but not yet subdivided, and the improvements to be made for development of the Project (“**Site Plan**”). The Site Plan shall be binding on the Property and any major departure shall be authorized by amendment only. The controlling Site Plan shall negate any contradiction between the Site Plan and any other plan, and this PDD Amendment. This Project includes one (1) parcel comprising the Project. The Site Plan reflects (5) buildings to be constructed on the property. The Site Plan further indicates the potential for subdivision of the property.

SECTION 5: DEVELOPMENT DESCRIPTION

The McDowell Corporate Center is planned to include up to five (5) separate buildings. The buildings will be constructed through multiple phases. Parcel 1 will have the front façade of this building, together with the required customer paved parking spaces located on Water Tower Road, while circulation, loading facilities and employee parking are located in the rear and side of this building. Proposed parking is a blend of the City requirement for both the light industrial district and distribution, with the Project providing one parking space for each 550 square feet of interior occupancy area, which is consistent with design parking requirements for similar facilities operated by the tenant to accommodate operational demands as well as employees and customers. All remaining buildings may be a multi-story, multi-tenant office and warehouse facilities facing the common area pond and Hwy 31.

Full site development is planned in additional phases and encompasses all buildings totaling 278,300 square feet of light industrial and commercial development.

Project development will address the requirements for “Firewise Communities” as to materials and conditions which are appropriate for the avoidance of fire hazards, which will include the avoidance of pine straw as a landscaping material, the use of fire resistant roofing materials and exterior wall materials, maintaining exterior building surfaces to avoid vegetation or other “fuels”, incorporating landscaping materials that reduce the flammability of the site, and maintaining adequate separations between the building and the property boundary, including the use of storm water retention as a fire buffer.

All on-site wetlands which remain following development shall be surrounded with a minimum 20-foot-wide water quality buffer, within which no building construction shall occur. The buffer areas and wetlands along with remaining natural areas will be largely undisturbed except to the extent vegetation is mulched to maintain required sight triangle distances along Water Tower Road. The developer may elect to install a 10-foot-wide multi-purpose path within the boundary of such wetland buffer area.

The arterial roadway for the portion of the Parkway Group PDD is by way of Water Tower Road, providing access to and from South Carolina Highway 31 to the Project. A private roadway provides access to the future building of the project and will be constructed to City standards to accommodate required turning radii. Upon completion, circulation is provided between the different phases, with turn radiuses appropriate for large trucks. The building elevations, materials and colors are functional and consistent with light industrial, and distribution uses in the Developer’s other similar projects and the underlying tenant, who is the holder of trademarks and other intellectual property associated with its national brand.

Table 5-1 below identifies the dimensional standards for the Project.

**TABLE 5-1
PROPOSED DIMENSIONAL STANDARDS CHART**

Permitted Uses	Min. Site Area (Acres)	Setbacks (Feet)			Max. Height (Feet)**	Impervious Surface	Separation of Structures (Feet)***
		Front	Side	Rear			
*See Below	2	25	15	15	50	60%	20

*Approved Uses include Professional Offices, Clubs/Lodges/Armories, Public Utilities, Libraries/Museums, Professional Service, Convenience Retail, Primary Retail, Secondary Retail, General Business, Funeral Homes, Commercial Recreation, Hospitals/Clinics/Nursing, Automobile Service, Commercial Parking, Manufacturing, Warehousing, Distribution, Wholesale, Boat Yard, Wireless Towers, Self-Storage, and Climate Storage and related offices ancillary to the primary use, fueling of trucks and other equipment, washing and repair work on vehicles, trailers and equipment used in the operation of the primary business, both inside and outside the Building.

**Maximum Height shall be measured from the first occupied floor elevation to the midpoint of the roof on the highest floor. Maximum height of parapets, stair and elevator hoist way extensions, and other rooftop architectural features shall be measured from the first occupied floor elevation and shall not be included in the calculation of Maximum Height.

***Auxiliary Buildings shall maintain a minimum 20’ separation from the primary Building. Separation figures are minimums and are measured from wall to wall.

SECTION 6: GENERAL DEVELOPMENT STANDARDS THROUGHOUT THIS PORTION OF THE P.D.D.

A. Densities. The overall density for the Project will not exceed 278,300 square feet of buildings.

B. Permitted Uses.

Permitted Uses are as follows:

- (1) Primary Building: Professional Offices, Clubs/Lodges/Armories, Public Utilities, Libraries/Museums, Professional Service, Convenience Retail, Primary Retail, Secondary Retail, General Business, Funeral Homes, Commercial Recreation, Hospitals/Clinics/Nursing, Automobile Service, Commercial Parking, Manufacturing, Warehousing, Distribution, Wholesale, Boat Yard, Wireless Towers, Self Storage, and Climate Storage and related offices ancillary to the primary use, fueling of trucks and other equipment, washing and repair work on vehicles, trailers and equipment used in the operation of the primary business, both inside and outside the Building, provided that such uses outside the Building will be adequately screened by fencing or landscaping from street views.
- (2) Auxiliary Buildings. Auxiliary Buildings sharing the same site with the primary Building may be used for the same purposes.
- (3) Amenity and Recreational Areas. Commons areas, picnic shelters, walking paths, and open spaces.
- (4) Change of One Permitted Use to Another Permitted Use. Should a designated use change after the final construction of a building, such designated use may be replaced with another permitted use. Notwithstanding such change of use, any exterior construction modifications of the building must be completed, as necessary, to bring it into compliance with the current development standards of this Document and the building code.

C. Site & Building Standards

Architectural and Civil design parameters are as follows:

Site Design

- (1) Conceptual site plan should be submitted to MCC for preliminary review.
- (2) Design the site for continuity in traffic flow and esthetics in layout to complement the other sites.
- (3) Landscape ordinances as per city/county code.

Utilities

- (1) Water & sewer taps are available through Grand Strand Water and Sewer.
- (2) Electrical power shall be supplied by the Santee Cooper.

- (3) Site lighting shall be supplied and installed by Santee Cooper through the site lighting development program.

Building

- (1) Buildings should be designed to add esthetically to the overall conformity of the other buildings and these design standards.
- (2) Exteriors to be finished on all 4 sides as the buildings are visible to the general public from all sides.
- (3) Acceptable exterior finishes are as follows: colored or painted concrete, EIFS, stone, synthetic wood, split faced block or a mixture of these elements. Metal siding or sheathing is not permitted to cover more than 5% of any building elevation. Vinyl and cementitious siding are strictly prohibited.
- (4) Suspended metal canopies are preferred over entrances and louvered canopies are encouraged over windows. Canopies at entrance/ exit doors should be internally lit with recessed lighting and at least one emergency light. Visible remote heads are prohibited from the face of the building.

Exterior Lighting

- (1) Acceptable exterior lighting examples are: landscape uplighting, wall packs, decorative lighting, accent lighting, recessed lighting in canopies

SECTION 7: MAINTENANCE AND CONTROL

It will be the responsibility of the Developer to maintain or provide for the maintenance of the property within the PDD, including any private roadways, pathways and driveways. The Developer's maintenance responsibilities and restrictions will cover the private rights-of-way, driveways, landscape areas, trees, parking areas, pathways, walkways, open space, common areas, wetland buffers, wetlands, buildings and other features of the development as appropriate under this Document, applicable City Zoning Regulations and Subdivision Regulations.

A perimeter buffer of not less than five (5) feet shall be maintained for the Project, provided, however that such buffer may include any jurisdictional wetlands, storm drainage basins, lakes or ponds located within the Project. To the extent the Project includes the subdivision of one or more buildings as a separate parcel, no internal perimeter buffer shall be required. For landscaped areas within the Project, not less than one (1) tree per twenty-five (25) linear feet of landscaped area, and one (1) shrub per ten (10) linear feet of landscaped area shall be installed, with a minimum of 15/100 inch caliper for each linear foot of perimeter landscaped area.

SECTION 8: CONSTRUCTION SCHEDULE

Construction will begin following receipt of permits from the City of North Myrtle Beach and from other regulatory bodies. The nature of this Project, together with the current economic conditions, prevents the Developer from providing exact dates for commencement of future phases or exact completion dates.

SECTION 9: OFF-SITE AND STREETScape IMPROVEMENTS

Certain vehicular traffic improvements outside of the boundaries of the Project will be required, including changes to the divided median of Water Tower Road to control the points of ingress to and egress from the boundary of the Project and the Water Tower Road arterial roadway, and the installation of acceleration and deceleration lanes at the location of each of the access drive along Water Tower Road. At the time of these improvements, Developer at its own expense, shall install sidewalks and street trees in conformance with the City's Street Tree Planning Manual.

SECTION 10: FEES AND PUBLIC BENEFITS

The fees and public benefits to be paid under the PDD Amendment, together with the Development Agreement Amendment, which may also be set forth in provisions above, are as follows:

A. Developer shall widen the paved section of Water Tower Road, within the existing public right-of-way of Water Tower Road, to accommodate turning movements (both acceleration and deceleration lanes), concurrently with the sitework improvements for the first building within the Amended Site Plan Parcel, such improvements being either (i) complete; or (ii) bonded in accordance with the City's typically roadway improvement bonding standards, at or prior to the issuance of a certificate of occupancy for the first building within the Amended Site Plan Parcel.

B. The City intends to improve Water Tower Road to comply with the Complete Streets portion of the City's land development regulations. The Developer shall, at their expense, install sidewalks and street trees during the development of the Amended Site Plat Parcel in accordance with the City's typical roadway improvement standards.

C. The City intends to construct a portion of the East Coast Greenway across the Developer's property. The Developer agrees to grant to the City a 25' easement as shown on the Amended Site Plat Parcel extending parallel to HWY 31. An additional 10' easement is also granted to the City at the location shown on the Amended Site Plat Parcel for the construction of the East Coast Greenway through the wetlands.

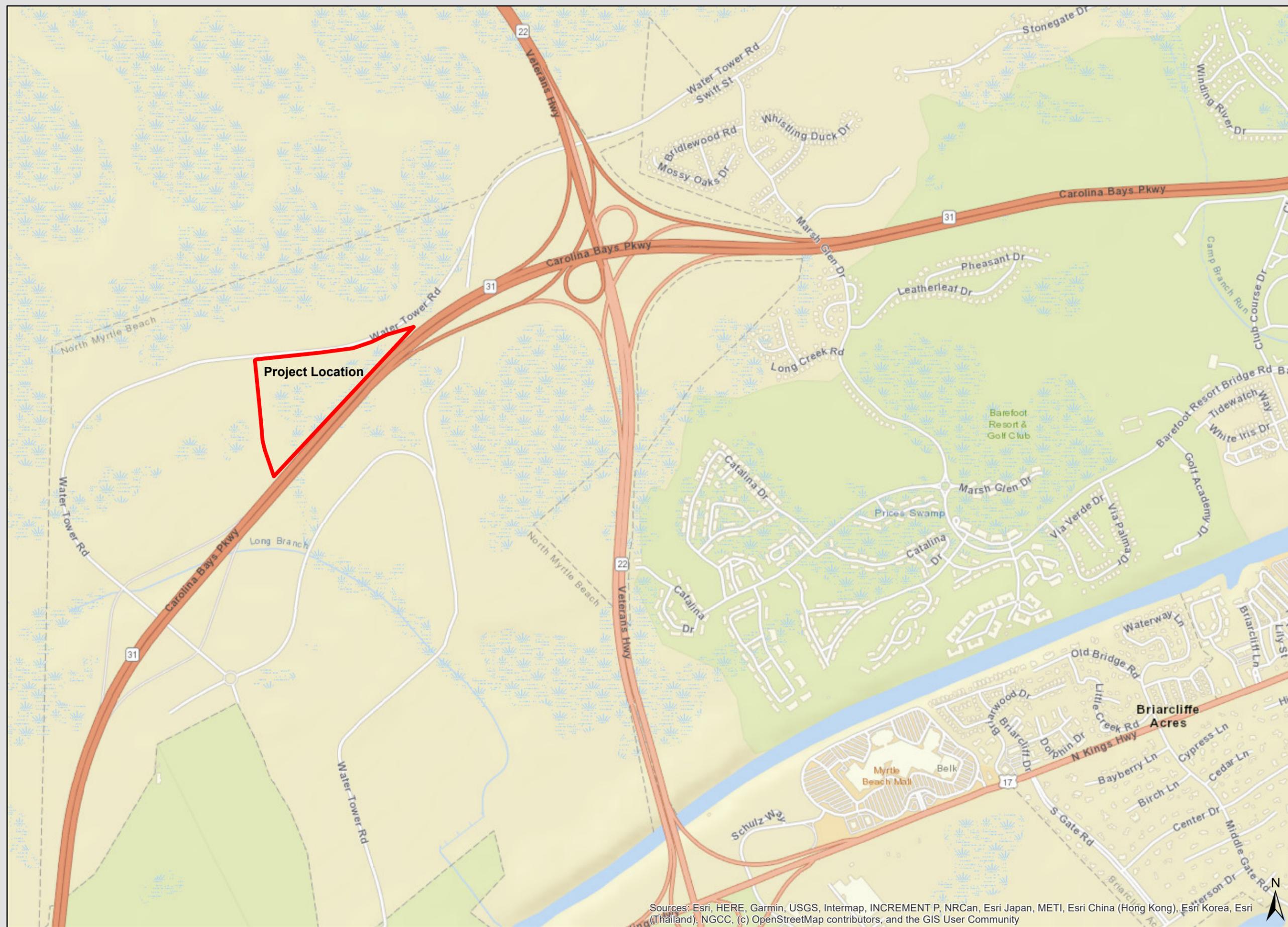
SECTION 11: AMENDMENTS AND ENFORCEMENT

The Developer shall record the approved ordinance in the public records of Horry County and return Two (2) time-stamped copies to the City of North Myrtle Beach.

Expansions and further amendments to this PDD shall not be permitted without review by the Zoning Administrator and approval as prescribed by the City of North Myrtle Beach Zoning Regulations.

Exhibit A: Location Map

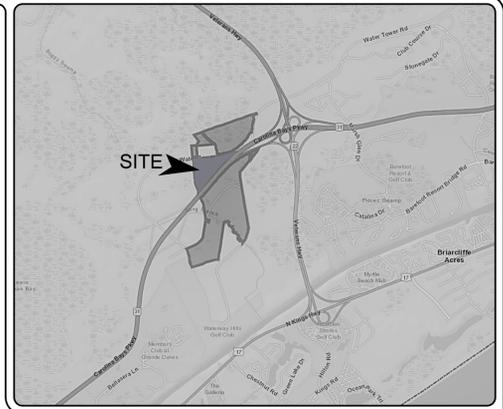
 Project Location



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

- LEGEND**
- I.R.F. = IRON REBAR FOUND
 - I.P.F. = IRON PIPE FOUND
 - I.R.S. = IRON REBAR SET
 - PP = POWER POLE
 - LP = LIGHT POLE
 - TF = TRANSFORMER BOX
 - AC = AIR CONDITIONING
 - UC = UNDERGROUND CABLE
 - FOM = FIBER OPTIC MARKER
 - TP = TELEPHONE PED.
 - CM = CABLE TV
 - WM = WATER METER
 - WS = WATER SERVICE
 - WV = WATER VALVE
 - WVR = WATER VALVE MARKER
 - FH = FIRE HYD.
 - SM = SEWER MANHOLE
 - SC = SEWER CLEAN-OUT
 - SS = SEWER SERVICE
 - ST = STORM MANHOLE
 - CB = CATCH BASIN
 - F = FENCE
 - OP = OVERHEAD POWER
 - E.O.P. = EDGE OF PAVEMENT
 - B.O.C. = BACK OF CURB

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2341.83'	672.98'	670.67'	N 74°48'42" E	16°27'55"
C2	5493.29'	916.48'	915.41'	S 43°35'28" W	9°33'32"



VICINITY MAP

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR PERSONS SHOWN IN THE TITLE BLOCK AND THIS DOESN'T MAKE ANY CERTIFICATION TO ANY UNNAMED PARTIES WITHOUT A REVISION AND UPDATE TO THE CERTIFICATION WITH THE CLIENTS AUTHORIZATION. ADDITIONAL FEES.

- NOTES**
- DATE OF FIELD WORK: JUNE, 2022
 - LOT APPEARS TO BE LOCATED IN FLOOD ZONE "X" AS SHOWN ON FLOOD MAP 45051C0591K, DATED DECEMBER 16, 2021 AND IS SUBJECT TO VERIFICATION.
 - SUBJECT TO ANY TITLE REPORT DISCLOSURE-NOT SUPPLIED.
 - TMS: 155-00-01-054
PIN: 389-00-00-0003

REFERENCES

PLAT BOOK: 291	PAGE: 78
PLAT BOOK: 128	PAGE: 93
SC D.O.T. PROJECT: STP-GSLA (003)	
DEED: 1887	PAGE: 597

"APPROVED JURISDICTIONAL DETERMINATION EXHIBIT" BY THE BRIGMAN COMPANY FEBRUARY 2, 2022

DATE OF ORIGINAL: AUGUST 18, 2022	
REVISION: UPDATE - ADDED WETLANDS	DATE: MARCH 14, 2023
REVISION:	DATE:
REVISION:	DATE:
REVISION:	DATE:

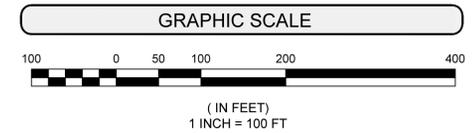
AREA TABLE

WETLAND AREA 1	139,310 SQ FT	3.2 ACRES
WETLAND AREA 2	15,030 SQ FT	0.35 ACRES
POND AREA	220,508 SQ FT	5.06 ACRES
REMAINDER AREA	1,180,774 SQ FT	27.11 ACRES



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS OF A CLASS B SURVEY AS THAT ALL NECESSARY MARKERS HAVE BEEN INSTALLED AND THERE ARE NO ENCROACHMENTS OTHER THAN SHOWN HEREON.

F. WILLIAM FAIREY IV, P.L.S. #27446



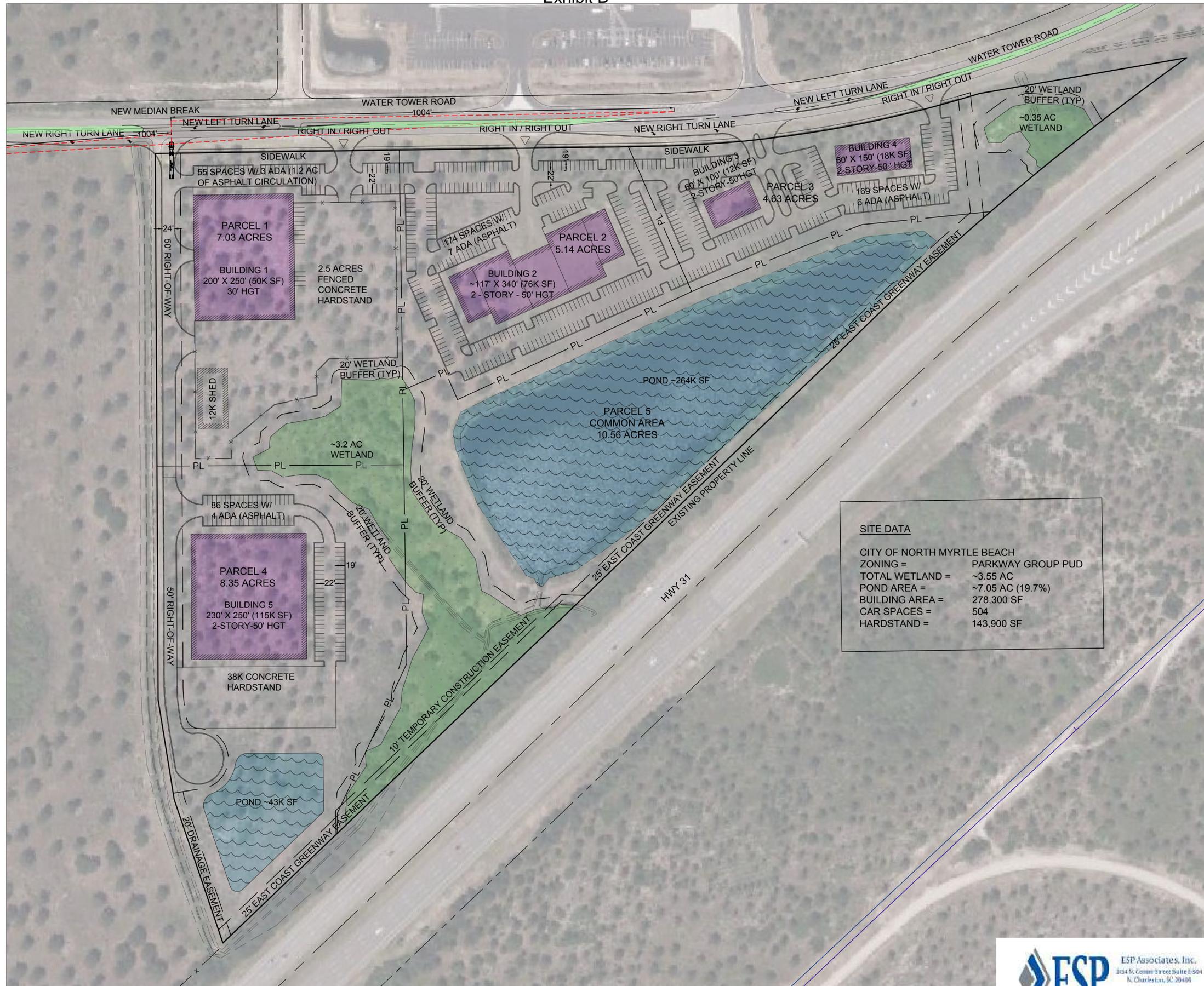
Spartina Surveying
BOLTON & MENK, INC.

BOUNDARY SURVEY
OF
A PORTION OF TMS: 155-00-01-054
LOCATED IN CITY OF NORTH MYRTLE BEACH
HORRY COUNTY, SOUTH CAROLINA
PREPARED FOR
MCDOWELL CONSTRUCTION
MARCH 14, 2023

SURVEYED AND MAPPED BY
SPARTINA SURVEYING - BOLTON & MENK, INC.
802 MAIN STREET, CONWAY SC 29526
PHONE: 843-340-0285 / OFFICE 843-488-1040

SDP	WATERTOWER ROAD BOUNDARY.DWG	JOB# 2824-22260
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Exhibit B



SITE DATA

CITY OF NORTH MYRTLE BEACH
 ZONING = PARKWAY GROUP PUD
 TOTAL WETLAND = ~3.55 AC
 POND AREA = ~7.05 AC (19.7%)
 BUILDING AREA = 278,300 SF
 CAR SPACES = 504
 HARDSTAND = 143,900 SF

LEGEND

GENERAL NOTES

- SETBACKS:
- FRONT: 25'
 - SIDE YARD 15'
 - REAR 15'
- PHASING (ESTIMATED):
- PHASE 1 - PARCEL 1, 2, 5 - EST MAR 2023
 - PHASE 2 - PARCEL 3 - EST NOV 2023
 - PHASE 3 - PARCEL 4 - EST JAN 2024



MCDOWELL
 CORPORATE
 CENTER
 JOB TITLE

OVERALL
 MASTER PLAN
 SHEET TITLE

XX-XX-XX

REVISIONS

NO.	DESCRIPTION	DATE

DRAWN

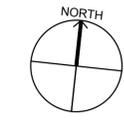
DESIGNED

CHECKED

APPROVED BY
 APPROVED

Project Issue Date
 ISSUE DATE

20-003
 JOB NO.

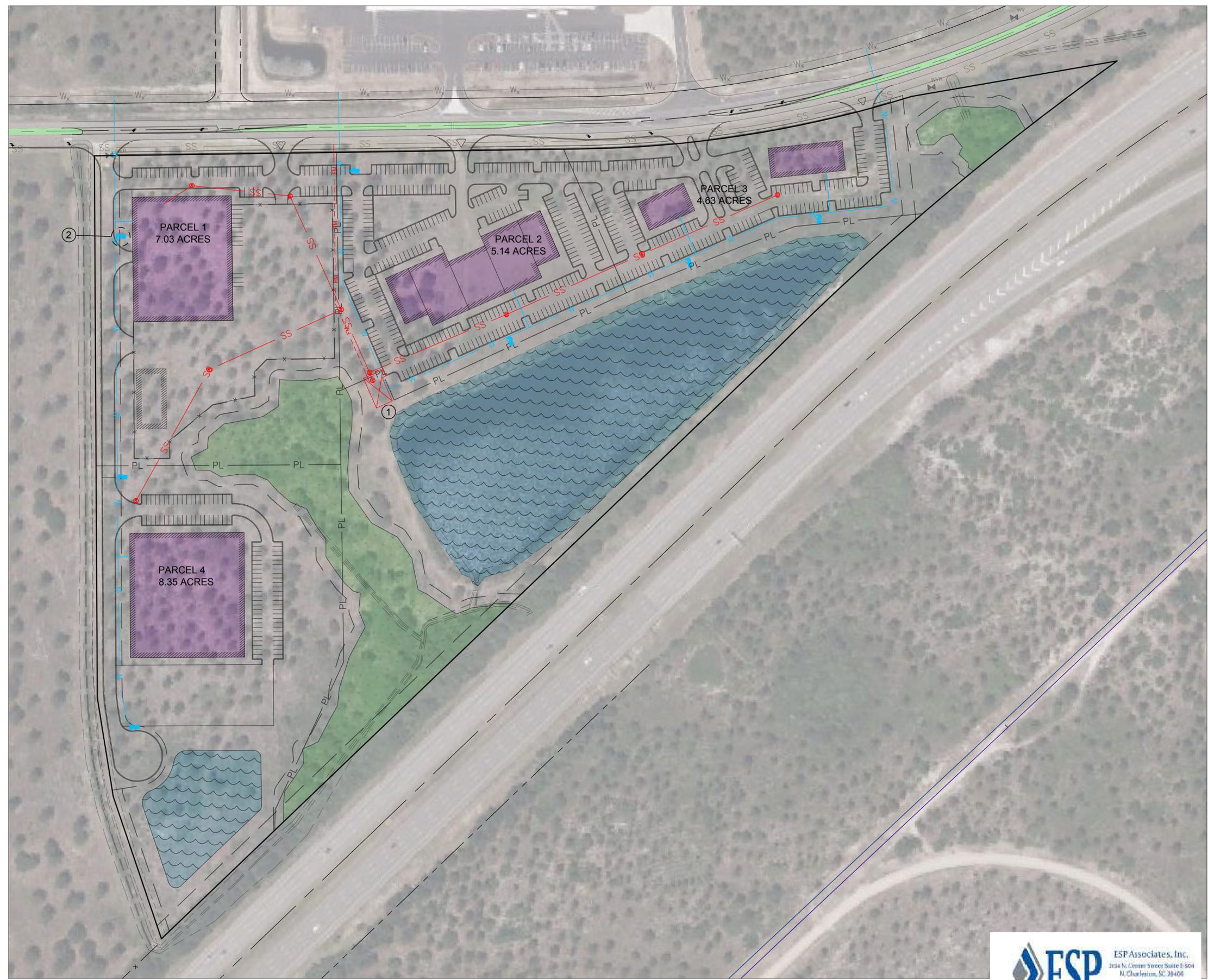


SCALE: 1" = 100'

GRAPHIC SCALE

A1 OVERALL MASTER PLAN
 SCALE: 1" = 100'





LEGEND

- SS — 8" SEWER LINE
- - - FM - - - 4" FORCE MAIN
- ⊙ SEWER MANHOLE
- W — 8" WATER LINE
- ⊙ WATER VALVE
- ⊙ HYDRANT
- ⊠ LIFT STATION
- SS — EXISTING 6" FORCE MAIN
- W — EXISTING 8" WATER LINE

GENERAL NOTES

- UTILITY PROVIDERS:
1. WATER AND SEWER:
GRAND STRAND WATER AND SEWER AUTHORITY
 2. GAS:
DOMINION ENERGY
 3. ELECTRIC:
HORRY ELECTRIC COOPERATIVE INC.
 4. STORMWATER:
CITY OF NORTH MYRTLE BEACH

ON-SITE FIRE SUPPRESSION:
AUTOMATIC SPRINKLER PROTECTION WILL BE PROVIDED FOR EACH BUILDING WHEN REQUIRED AS DICTATED BY THE SC BUILDING CODE BASED ON THE OCCUPANCY AND USE OF EACH BUILDING. IF NEEDED, A FIRE BOOSTER PUMP WILL BE PROVIDED TO MEET FIRE SPRINKLER PRESSURE DEMANDS IF IT IS DETERMINED THAT WATER PRESSURE FROM GRAND STRAND WATER AND SEWER AUTHORITY IS NOT ADEQUATE. ON-SITE WATER STORAGE FOR FIRE SUPPRESSION IS NOT ANTICIPATED FOR LIGHT INDUSTRIAL USE ON THIS SITE.

- ① 35' x 65' EASEMENT AREA DESIGNATED FOR GRAND STRAND WATER AND SEWER AUTHORITY LIFT STATION.
- ② TYPICAL FIRE HYDRANT ASSEMBLY



**MCDOWELL
CORPORATE
CENTER**
JOB TITLE

**SCHEMATIC
UTILITY PLAN**
SHEET TITLE

XX-XX-XX

REVISIONS

NO.	DESCRIPTION	DATE

DRAWN _____

DESIGNED _____

CHECKED _____

APPROVED BY _____
APPROVED

Project Issue Date _____
ISSUE DATE

20-003
JOB NO.

NORTH

0 100' 200'

SCALE: 1" = 100'

GRAPHIC SCALE

A1 SCHEMATIC UTILITY PLAN
SCALE: 1" = 100'



LEGEND

- SD— 24" STORM DRAIN LINE
- DRAINAGE INLET

GENERAL NOTES

- UTILITY PROVIDERS:
1. WATER AND SEWER: GRAND STRAND WATER AND SEWER AUTHORITY
 2. GAS: DOMINION ENERGY
 3. ELECTRIC: HORRY ELECTRIC COOPERATIVE INC.
 4. STORMWATER: CITY OF NORTH MYRTLE BEACH



MCDOWELL CORPORATE CENTER
JOB TITLE

SCHEMATIC DRAINAGE PLAN
SHEET TITLE

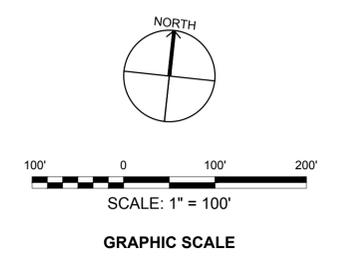
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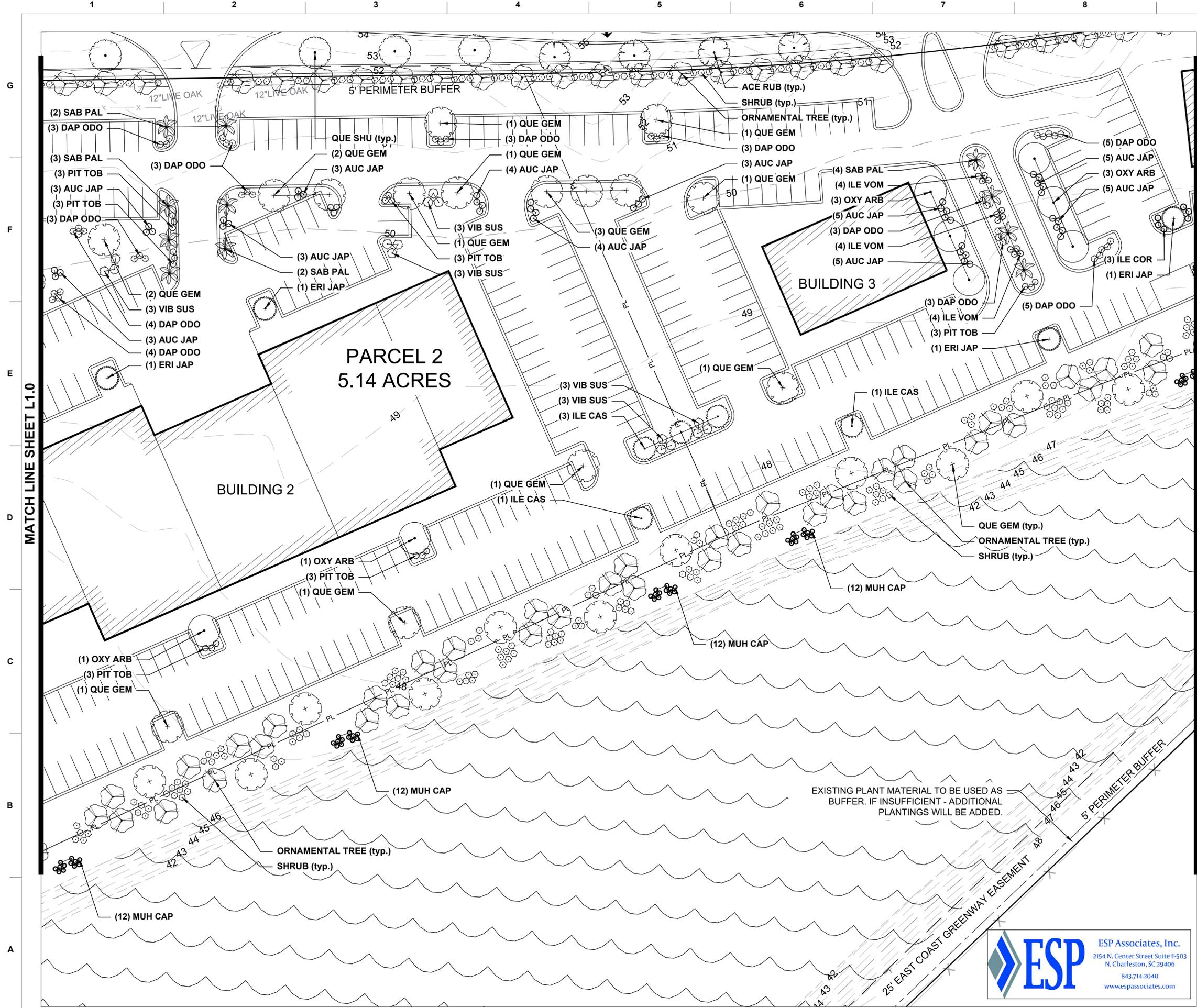
REVISIONS

NO.	DESCRIPTION	DATE

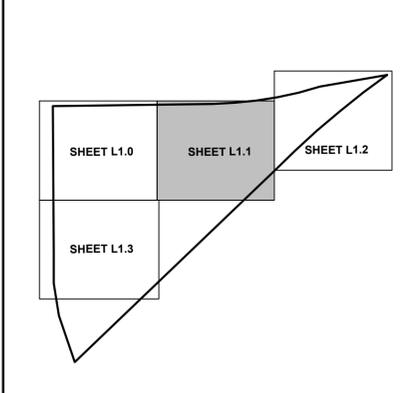
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CHECKED _____
APPROVED BY _____
APPROVED _____
Project Issue Date _____
ISSUE DATE _____
20-003
JOB NO.

(A1) SCHEMATIC DRAINAGE PLAN
SCALE: 1" = 100'



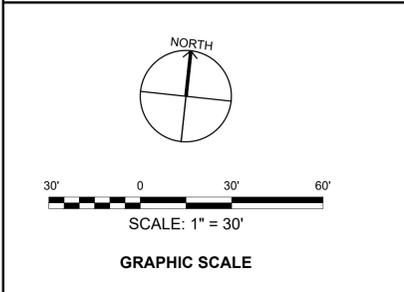


SHEET INDEX



GENERAL NOTES

EXISTING PLANT MATERIAL TO BE USED AS BUFFER. IF INSUFFICIENT - ADDITIONAL PLANTINGS WILL BE ADDED.



**MCDOWELL
CORPORATE
CENTER**
JOB TITLE

**LANDSCAPE PLAN
(SHEET 2 OF 4)**
SHEET TITLE

XX-XX-XX

REVISIONS

NO.	DESCRIPTION	DATE
1	REVISIONS PER TRC AND PUBLIC WORKS COMMENTS	09/20/2022

MLW
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MLW
DESIGNED

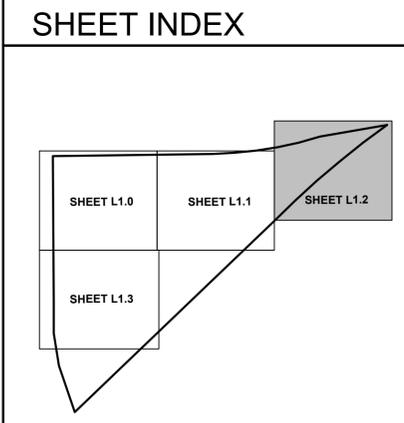
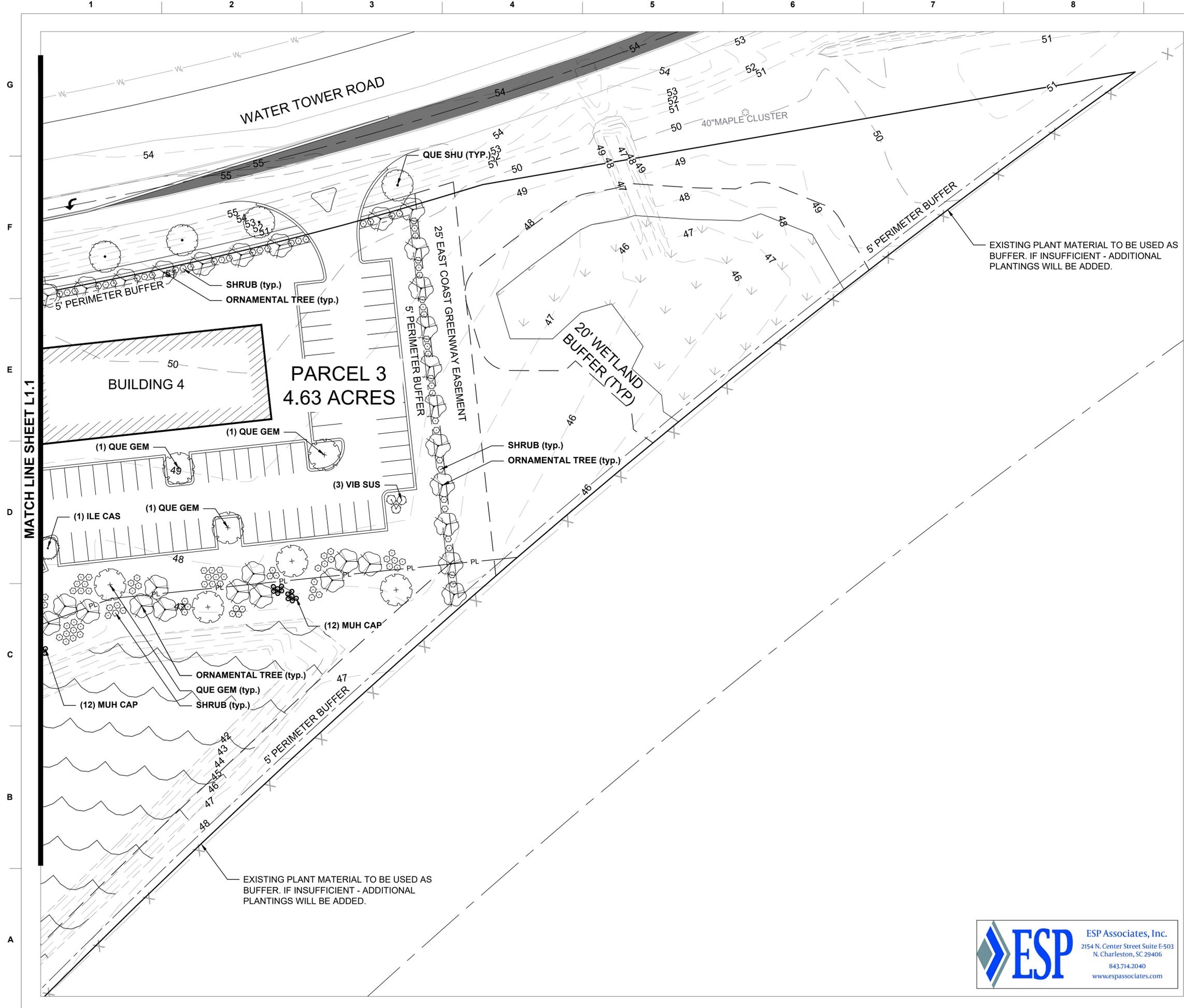
KPM
CHECKED

APPROVED

10-26-2022
ISSUE DATE

20-003
JOB NO.

L1.1
SHEET NO.



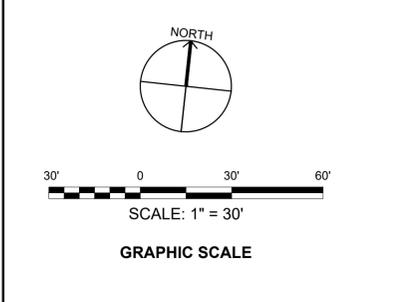
GENERAL NOTES

EXISTING PLANT MATERIAL TO BE USED AS BUFFER. IF INSUFFICIENT - ADDITIONAL PLANTINGS WILL BE ADDED.

XX-XX-XX

REVISIONS

NO.	DESCRIPTION	DATE
1	REVISIONS PER TRC AND PUBLIC WORKS COMMENTS	09/20/2023

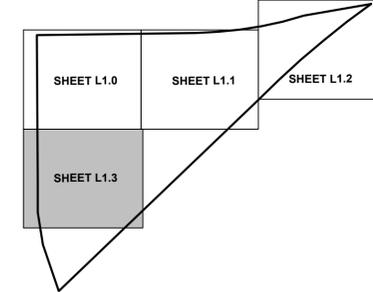


ESP Associates, Inc.
 2154 N. Center Street Suite E-503
 N. Charleston, SC 29406
 843.714.2040
 www.espassociates.com



MCDOWELL CORPORATE CENTER
 JOB TITLE

LANDSCAPE PLAN (SHEET 3 OF 4)
 SHEET TITLE



MCDOWELL
CORPORATE
CENTER
JOB TITLE

LANDSCAPE PLAN
(SHEET 4 OF 4)
SHEET TITLE

XX-XX-XX
REVISIONS

NO.	DESCRIPTION	DATE
1	REVISIONS PER TRC AND PUBLIC WORKS COMMENTS	09/20/2022

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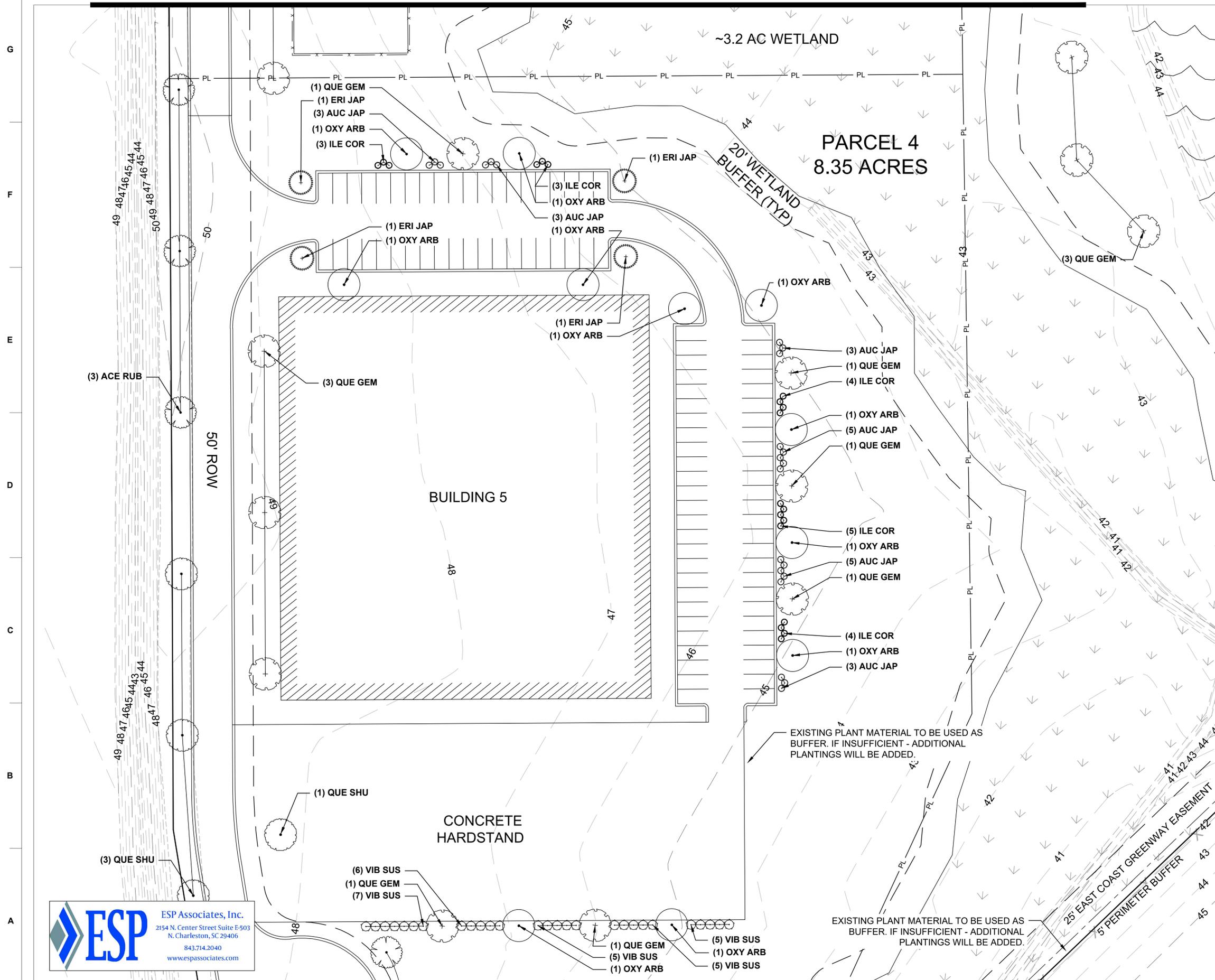
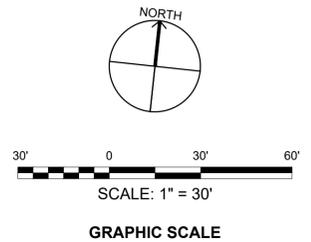
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10-26-2022
ISSUE DATE

20-003
JOB NO.

L1.3
SHEET NO. SHEET OF Y

PLANT SCHEDULE						
TREES	CODE	QTY	BOTANICAL / COMMON NAME	METHOD	CALIPER	MIN. SIZE
	ACE RUB	22	ACER RUBRUM / RED MAPLE	B&B	2" CAL.	
	ORNAMENTAL TREE	118	CERCIS CANADENSIS / EASTERN REDBUD, LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ' / NATCHEZ CRAPE MYRTLE, STYRAX JAPONICUS / JAPANESE SNOWBELL	B&B	1.5" CAL.	
	ERI JAP	11	ERIOBOTRYA JAPONICA / LOQUAT	B&B	1.5" CAL.	
	ILE CAS	9	ILEX CASSINE / DAHOON HOLLY	B&B	1.5" CAL.	
	OXY ARB	26	OXYDENDRUM ARBOREUM / SOURWOOD TREE	B&B	2" CAL.	
	QUE GEM	66	QUERCUS GEMINATA / SAND LIVE OAK	B&B	2" CAL.	
	QUE SHU	21	QUERCUS SHUMARDII / SHUMARD OAK	B&B	2" CAL.	
	SAB PAL	11	SABAL PALMETTO / CABBAGE PALMETTO	B&B	1.5" CAL.	
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	METHOD	MIN. SIZE	REMARKS
	SHRUB	383	VIBURNUM SUSPENSUM / SANDANKWA VIBURNUM, DAPHNE ODORA / WINTER DAPHNE, PITTOSPORUM TOBIRA 'WHEELER'S DWARF' / WHEELER'S DWARF PITTOSPORUM	CONT.	3 GAL.	18" HT. MIN.
	AUC JAP	83	AUCUBA JAPONICA 'NANA' / DWARF GREEN JAPANESE LAUREL	CONT.	3 GAL.	18" HT. MIN.
	DAP ODO	58	DAPHNE ODORA / WINTER DAPHNE	CONT.	3 GAL.	18" HT. MIN.
	ILE COR	27	ILEX CORNUTA 'CARISSA' / CARISSA CHINESE HOLLY	CONT.	3 GAL.	18" HT. MIN.
	ILE VOM	26	ILEX VOMITORIA 'NANA' / DWARF YAUPON HOLLY	CONT.	3 GAL.	18" HT. MIN.
	MUH CAP	72	MUHLENBERGIA CAPILLARIS / MUHLY GRASS	CONT.	3 GAL.	18" HT. MIN.
	PIT TOB	24	PITTOSPORUM TOBIRA 'WHEELER'S DWARF' / WHEELER'S DWARF PITTOSPORUM	CONT.	3 GAL.	18" HT. MIN.
	VIB SUS	97	VIBURNUM SUSPENSUM / SANDANKWA VIBURNUM	CONT.	3 GAL.	18" HT. MIN.

LANDSCAPE PLANTING NOTES:

- THE CONTRACTOR SHALL FURNISH AND INSTALL ALL PLANT MATERIALS LISTED ON THE PLANT SCHEDULE.
- SIZE, QUALITY AND OVERALL HEALTH OF ALL PLANT MATERIAL USED SHALL CONFORM TO THE LATEST EDITION OF ANSI Z60 "AMERICAN STANDARD FOR NURSERY STOCK" AS PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
- NO TREE SHALL BE PLANTED IN SIGHT TRIANGLE.
- NO TREE SHALL BE PLANTED IN EXISTING OR PROPOSED UTILITY EASEMENTS.
- NO TREE SHALL BE PLANTED OVER WATER OR SEWER SERVICES. ENSURE TRUNKS OF PROPOSED TREES ARE NO LESS THAN 10' FROM SEWER MAIN AND ASSOCIATED SEWER STRUCTURES.
- CONTRACTOR SHALL ADJUST TREE PLANTING LOCATIONS AS NECESSARY TO AVOID UNDERGROUND & OVERHEAD UTILITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION.
- STAKING MATERIALS SHALL BE USED AS NECESSARY. THE LANDSCAPE CONTRACTOR SHALL REMOVE THE STAKING MATERIALS 1 YEAR FROM TIME OF FINAL ACCEPTANCE.
- THE CONTRACTOR SHALL ENSURE THAT ALL PLANT PITS, VINE PITS, HEDGE TRENCHES, AND SHRUB BEDS ARE EXCAVATED AS FOLLOWS:
 - ALL PITS SHALL BE GENERALLY CIRCULAR IN OUTLINE, WITH VERTICAL SIDES. THE TREE PIT SHALL BE DEEP ENOUGH TO ALLOW 1/8 OF THE BALL TO BE ABOVE EXISTING GRADE. SOIL WITHIN THE BUFFER AREAS SHALL BE FREE OF ALL ROCKS GREATER THAN 1" IN LARGEST DIAMETER, DEBRIS, INORGANIC COMPOSITIONS AND CHEMICAL RESIDUES DETRIMENTAL TO PLANT LIFE. PLANTS SHALL REST ON A WELL-COMPACTED PEDESTAL 2"-3" HIGHER THAN THE BOTTOM OF THE PIT. THE TREE PIT SHALL BE A MINIMUM OF 14" LARGER ON EVERY SIDE THAN THE BALL OF THE TREE. (SEE TREE PLANTING DETAIL, THIS SHEET).
 - TREE AND SHRUB PITS SHALL BE BACKFILLED AND COMPACTED WITH SUITABLE TOPSOIL PER PROJECT SPECIFICATIONS.
 - ALL TREES AND SHRUBS TO BE INSTALLED SHALL BE FERTILIZED PER RECOMMENDATIONS BASED ON SOIL TEST BY THE LOCAL AGRICULTURAL EXTENSION, DEPARTMENT OF NATURAL RESOURCES, OR OTHER APPROVED SOURCE.
- IF AREAS ARE DESIGNATED AS SHRUB BEDS OR HEDGE TRENCHES, THEY SHALL BE CULTIVATED TO AT LEAST 18 INCHES IN DEPTH. AREAS DESIGNATED FOR GROUND COVERS AND VINES SHALL BE CULTIVATED TO AT LEAST 12 INCHES IN DEPTH.
- EACH TREE, SHRUB, OR VINE SHALL BE PRUNED IN AN APPROPRIATE MANNER, IN ACCORDANCE WITH ACCEPTED STANDARD PRACTICES. ALL DEAD OR DAMAGED BRANCHES SHALL BE PRUNED PER ACCEPTED PRACTICES PRIOR TO INSTALLATION. CONTRACTOR SHALL NOT PRUNE CENTRAL LEADER OF ANY TREE OR SHRUB. IF THE CENTRAL LEADER OF ANY TREE OR SHRUB IS DAMAGED, CONTRACTOR SHALL REPLACE WITH SAME SPECIES AND SIZE.
- ALL PLANTING AREAS SHALL BE MULCHED WITH A TWO-TO-THREE INCH LAYER OF HARDWOOD BARK, OR PINE NEEDLES. OTHER MULCH MATERIALS MAY BE ACCEPTABLE BUT MUST BE APPROVED BY LANDSCAPE ARCHITECT OR ENGINEER OF RECORD PRIOR TO INSTALLATION.
- ALL STRAPPING AND TOP 2/3 OF WIRE BASKET MUST BE CUT AWAY AND REMOVED FROM ROOT BALL PRIOR TO BACKFILLING PLANTING PIT. REMOVE TOP 1/3 OF BURLAP FROM ROOT BALL.
- QUANTITIES LISTED ARE FOR CONVENIENCE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR QUANTITIES AS SHOWN ON THE PLAN.
- SEE SPECIFICATIONS FOR SEEDING REQUIREMENTS. ALL DISTURBED AREAS SHALL BE SEEDED.
 - ALL TREES AND SHRUBS SHALL BE HEALED INTO MULCH, AND ROOT BALLS KEPT WELL WATERED UNTIL INSTALLATION.
 - TREES AND SHRUBS SHALL BE STORED IN A LOCATION PROTECTED FROM WIND AND DIRECT SUNLIGHT.
 - CONTRACTOR SHALL MONITOR TREES AND SHRUBS PRIOR TO AND DURING INSTALLATION AND PROVIDE TEMPORARY IRRIGATION AS NEEDED TO AVOID WILTING, DAMAGE, OR DEATH OF PLANT MATERIALS.
- CONTRACTOR SHALL WARRANTY ALL LANDSCAPE MATERIAL FOR A PERIOD OF 1-YEAR FROM FINAL ACCEPTANCE.
- NO UNDERGROUND IRRIGATION LINES WILL BE INSTALLED WITHIN AREAS OF EXISTING, REMAINING VEGETATION DUE TO ANTICIPATED IMPACTS FROM TRENCHING WITHIN ROOT SYSTEMS. ABOVE-GROUND (DRIP) IRRIGATION IS ACCEPTABLE IN THOSE AREAS.
- CONTRACTOR TO SELECT 5' PERIMETER BUFFER CANOPY TREES AND SHRUBS BASED ON AVAILABILITY AND INSTALL ACCORDINGLY TO PROVIDE PLANT DIVERSITY.

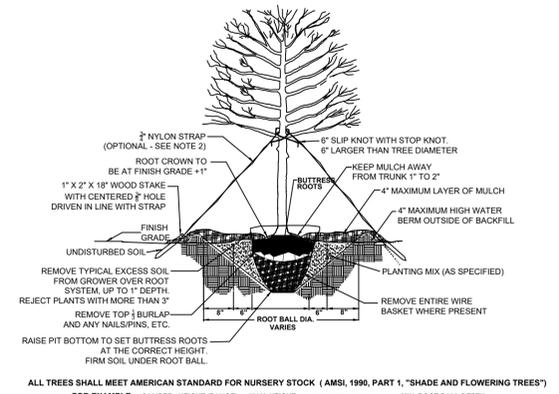
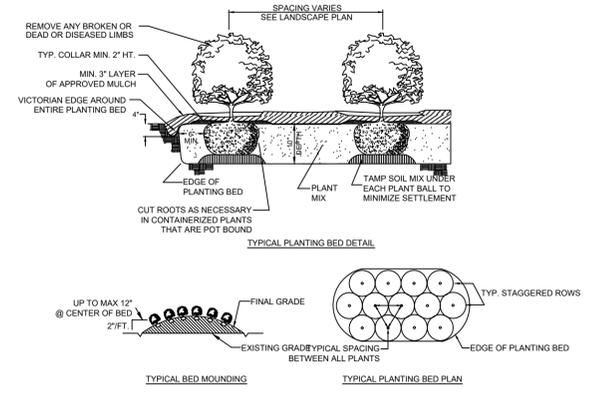
PLANTING REQUIREMENTS PER PARCEL*:

PARCEL 1 (SHEET L1.0):	
PROVIDED PARKING:	+/- 60 SPACES
TREES REQUIRED:	+/- 6 TREES (1 TREE/ 10 SPACES)
TREES PROVIDED:	+/- 6 TREES
SHRUBS REQUIRED:	+/- 24 SHRUBS (4 SHRUBS/ 10 SPACES)
SHRUBS PROVIDED:	+/- 24 SHRUBS
PARCEL 2 (SHEETS L1.0 & L1.1):	
PROVIDED PARKING:	+/- 291 SPACES
TREES REQUIRED:	+/- 29 TREES (1 TREE/ 10 SPACES)
TREES PROVIDED:	+/- 36 TREES
SHRUBS REQUIRED:	+/- 117 SHRUBS (4 SHRUBS/ 10 SPACES)
SHRUBS PROVIDED:	+/- 117 SHRUBS
PARCEL 3 (SHEETS L1.1 & L1.2):	
PROVIDED PARKING:	+/- 172 SPACES
TREES REQUIRED:	+/- 17 TREES (1 TREE/ 10 SPACES)
TREES PROVIDED:	+/- 23 TREES
SHRUBS REQUIRED:	+/- 69 SHRUBS (4 SHRUBS/ 10 SPACES)
SHRUBS PROVIDED:	+/- 69 SHRUBS
PARCEL 4 (SHEETS L1.3):	
PROVIDED PARKING:	+/- 92 SPACES
TREES REQUIRED:	+/- 9 TREES (1 TREE/ 10 SPACES)
TREES PROVIDED:	+/- 9 TREES
SHRUBS REQUIRED:	+/- 41 SHRUBS (4 SHRUBS/ 10 SPACES)
SHRUBS PROVIDED:	+/- 41 SHRUBS

5' PERIMETER PLANTING REQUIREMENTS:

NORTHERN BUFFER (ALONG WATER TOWER ROAD):	
LENGTH OF BUFFER:	+/- 1,646 LF
TREES REQUIRED:	+/- 66 TREES (1 TREE/ 25 LF)
SHRUBS REQUIRED:	+/- 165 SHRUBS (1 SHRUB/ 10 LF)

* NOTE: EXISTING VEGETATION TO REMAIN AND COUNT TOWARDS BUFFER PLANTING REQUIREMENTS. QUANTITIES MAY VARY.



- NOTES:
- OMIT COLLAR AROUND EACH SHRUB WHEN IRRIGATION SYSTEM IS PRESENT.
 - INSTALL TOP OF PLANT BALL 2" ABOVE ADJACENT GRADE.
 - TAMP PLANTING MIX FIRMLY AS PIT IS FILLED AROUND EACH PLANT BALL.
 - SOAK EACH ROOT BALL AND PIT IMMEDIATELY AFTER INSTALLATION.
 - SAME PRINCIPLES AND TECHNIQUE APPLIES TO PERENNIAL PLANTING.

ALL TREES SHALL MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI 1990, PART 1, "SHADE AND FLOWERING TREES")

FOR EXAMPLE:	CALIPER	HEIGHT (RANGE)	MAX. HEIGHT	MIN. ROOT BALL DIA.	MIN. ROOT BALL DEPTH
3"	12-14'	16'	18'	32"	18"
4"	14-16'	18'	20'	36"	21"

NOTES:

- REMOVE WIRE OR NYLON TWINE FROM ENTIRE ROOT BALL.
- STAKING REQUIRED FOR LEANING TREES OR AS NECESSARY.
- SOAK EACH ROOT BALL AND PIT IMMEDIATELY AFTER INSTALLATION.

* REQUIREMENTS BASED ON SECTION 23-56.2.B.4 IN THE CITY OF NORTH MYRTLE BEACH'S CODE OF ORDINANCES (NO. 22-31).



MCDOWELL CORPORATE CENTER

JOB TITLE

LANDSCAPE NOTES & DETAILS
SHEET TITLE

XX-XX-XX

REVISIONS

NO.	DESCRIPTION	DATE
1	REVISIONS FOR TRC AND PUBLIC WORKS COMMENTS	03/20/2023

MLW DRAWN
MLW DESIGNED
KPM CHECKED

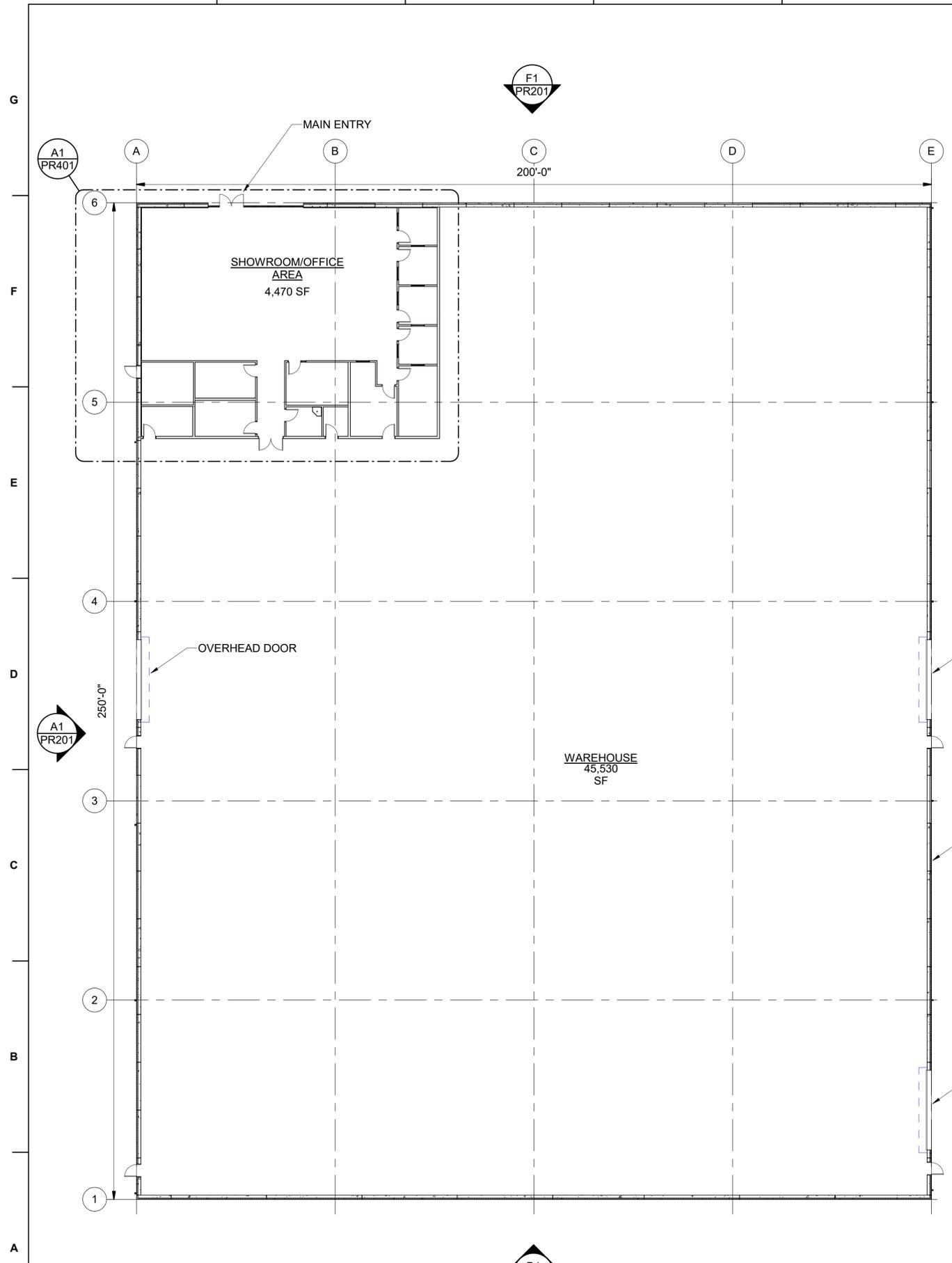
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10-26-2022
ISSUE DATE

20-003
JOB NO.

L2.0
SHEET NO. SHEET OF Y

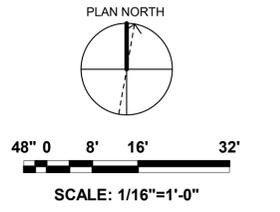
1 2 3 4 5 6 7 8 9 10

AREA SCHEDULE	
Name	AREA
FIRST FLOOR	
WAREHOUSE	45,530 SF
SHOWROOM/OFFICE AREA	4,470 SF
	50,000 SF



E6 CONCEPT PERSPECTIVE
SCALE:

A1 FLOOR PLAN
SCALE: 1/16" = 1'-0"



McDOWELL
CORPORATE
CENTER -
BUILDING 1
JOB TITLE

CONCEPT FLOOR
PLAN
SHEET TITLE

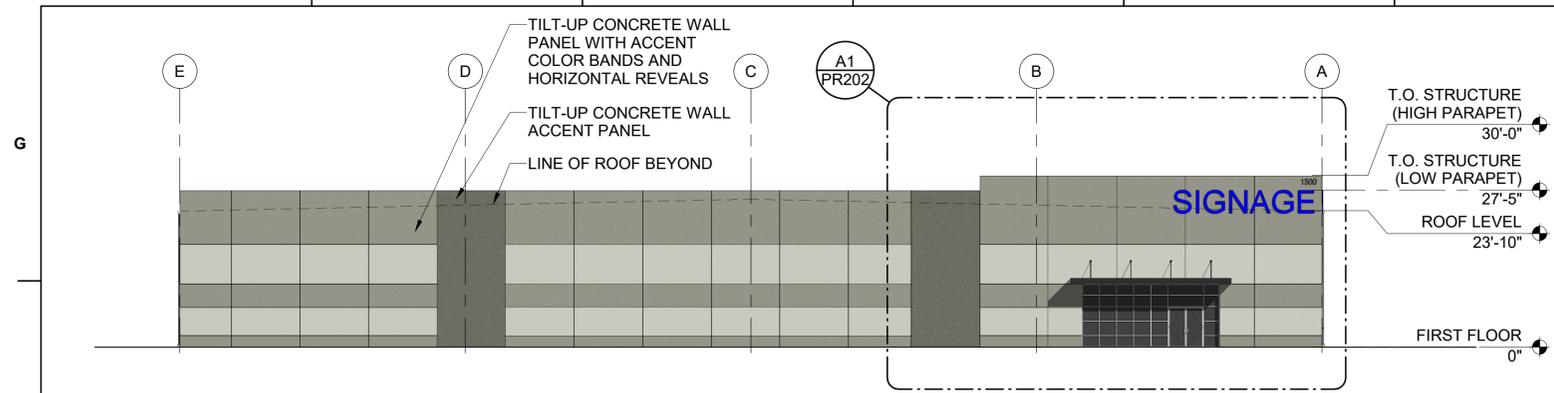
REVISIONS

NO.	DESCRIPTION	DATE

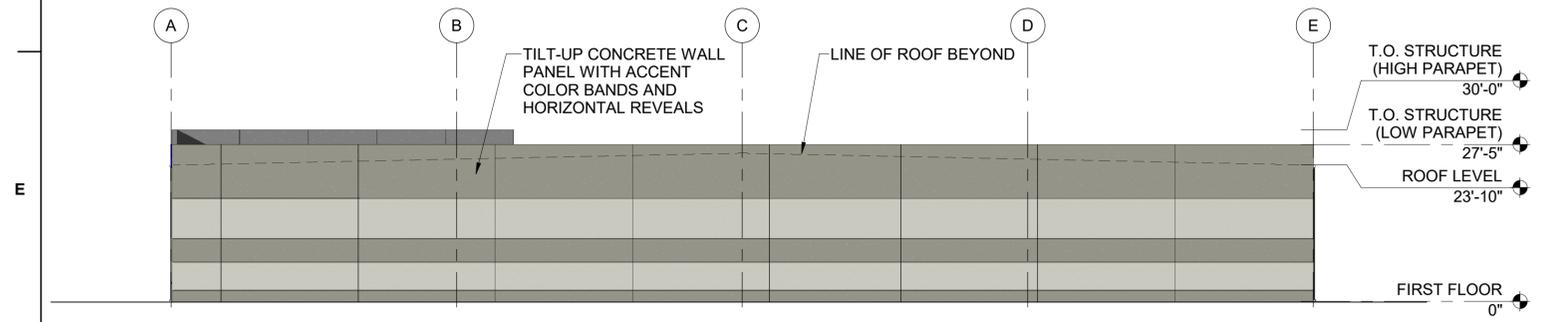
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APPROVED _____
03/02/2023
ISSUE DATE

22-003
JOB NO.

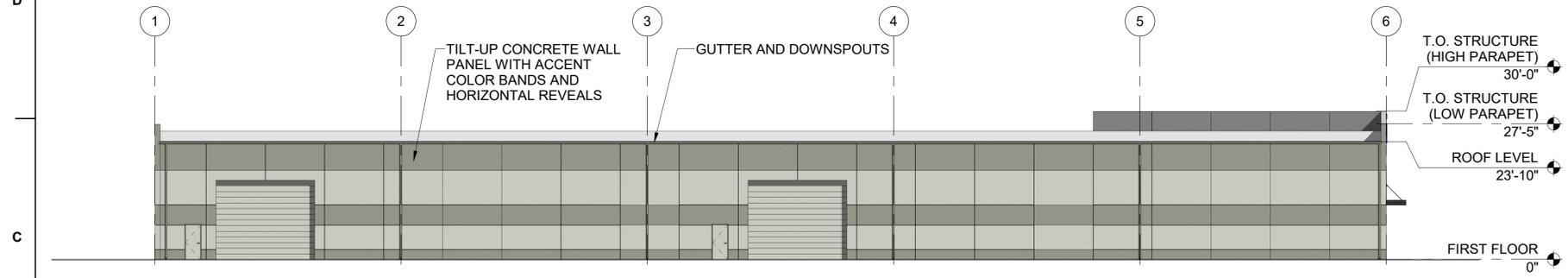
PR101
SHEET NO.



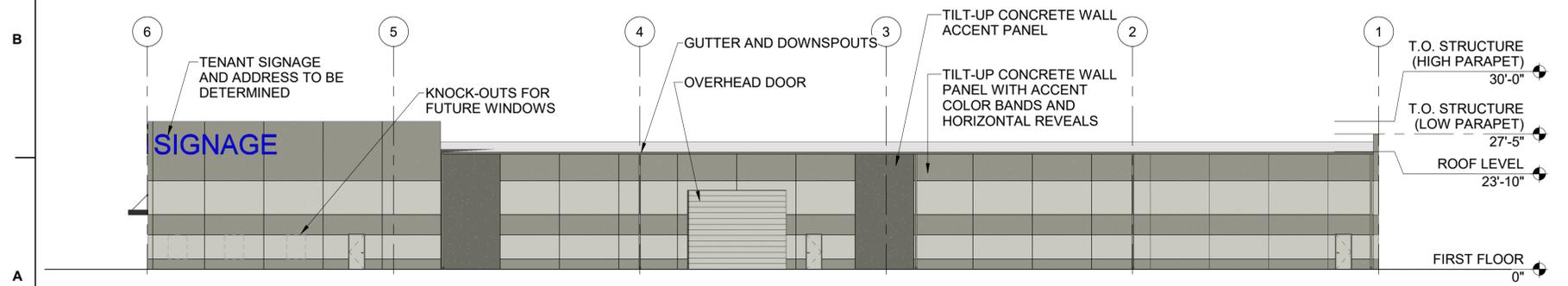
F1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"



D1 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



C1 EAST ELEVATION
SCALE: 1/16" = 1'-0"



A1 WEST ELEVATION
SCALE: 1/16" = 1'-0"



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BUILDING 1
JOB TITLE

ELEVATIONS
SHEET TITLE

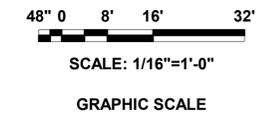
REVISIONS

NO.	DESCRIPTION	DATE

- DRAWN
- DESIGNED
- CHECKED
- APPROVED
03/02/2023
ISSUE DATE

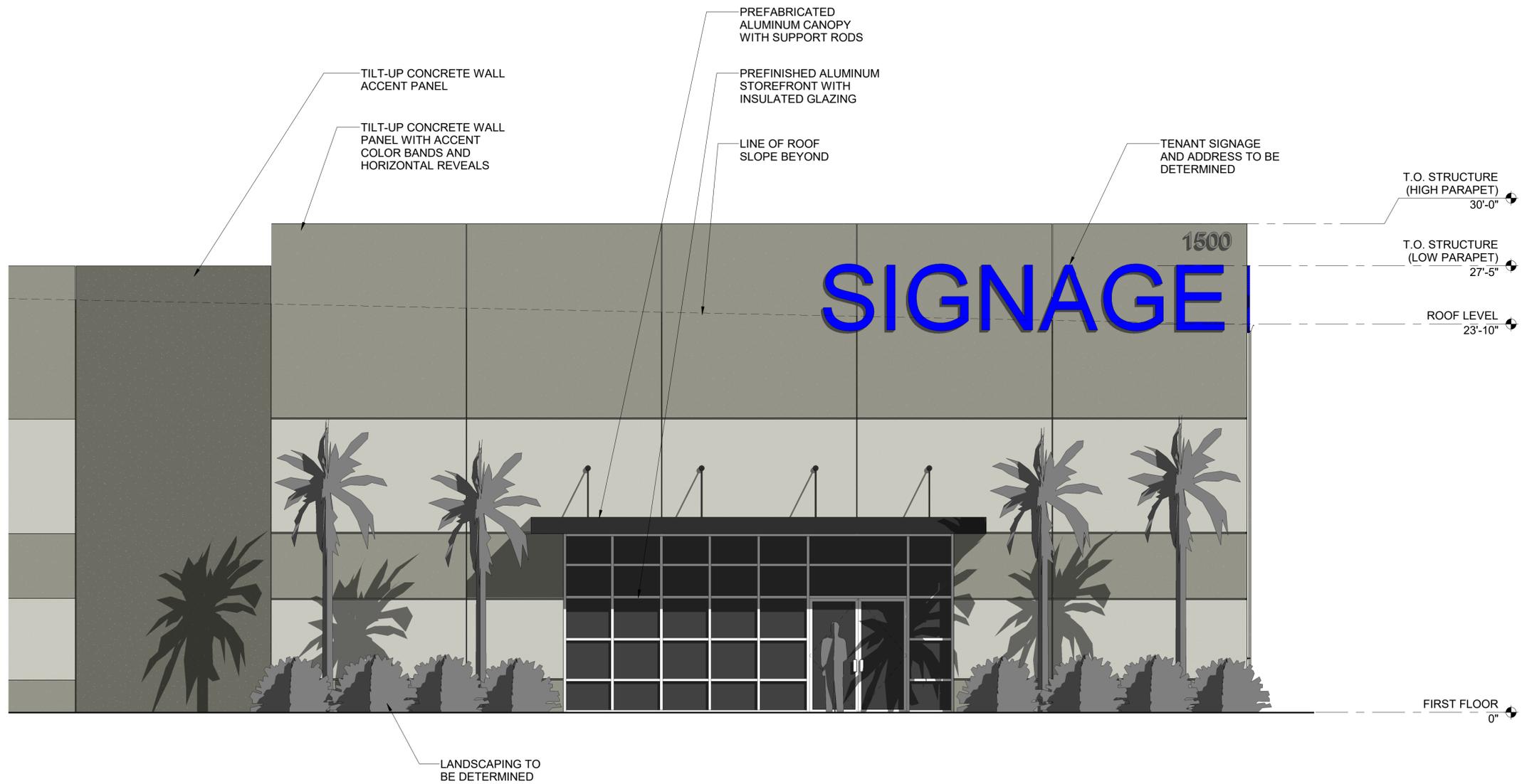
22-003
JOB NO.

PR201
SHEET NO.



1 2 3 4 5 6 7 8 9 10

G
F
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B
A



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CENTER -
BUILDING 1
JOB TITLE

ENLARGED
ELEVATION
SHEET TITLE

REVISIONS

NO.	DESCRIPTION	DATE

Author
DRAWN

Designer
DESIGNED

Checker
CHECKED

Approver
APPROVED

03/02/2023
ISSUE DATE

22-003
JOB NO.

PR202
SHEET NO.

F1 (A1) ENLARGED ENTRY ELEVATION - MATERIALS
SCALE: 1/4" = 1'-0"



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT
1949 INDUSTRIAL PARK ROAD, ROOM 140
CONWAY, SOUTH CAROLINA 29526

May 17, 2022

Regulatory Division

Mr. Keith Hinson
Apache Properties c/o Waccamaw Land & Timber
4705-A Oleander Drive
Myrtle Beach, South Carolina 29577
keith@wacclt.com

Dear Mr. Hinson:

This is in response to your request for an Approved Jurisdictional Determination (AJD) (SAC-2022-00214) received in our office on February 2, 2022, for a 35-acre site identified as a portion of Tax Map Sequence (TMS) # 155-00-01-054, situated between Water Tower Road and S.C. Highway 31, in North Myrtle Beach, Horry County, South Carolina (Latitude: 33.8058°, Longitude: -78.7935°). An AJD is used to indicate the Corps has identified the presence or absence of wetlands and/or other aquatic resources on a site, including their accurate location(s) and boundaries, as well as their jurisdictional status pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. § 1344) and/or navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act of 1899 (RHA) (33 U.S.C. § 403).

The site is shown on the attached map entitled "Approved Jurisdictional Determination Exhibit / Apache Tract 1 / Portion of TMS# 155-00-01-054 / North Myrtle Beach, Horry County, South Carolina" and dated February 2, 2022, prepared by the Brigman Company. Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, soil survey information, Lidar, and Wetland Determination Data Form(s), we conclude the referenced map accurately reflects the location and boundaries of aquatic resources within the site. The site contains 3.55 acres of jurisdictional wetlands that are subject to Corps' jurisdiction under Section 404 of the CWA.

The site also contains aquatic resources that are not subject to Corps' jurisdiction under Section 404 of the CWA or Section 10 of the RHA.

Attached is a form describing the basis of jurisdiction for the delineated area(s). Be aware that a Department of the Army (DA) permit may be required for certain activities in the areas subject to Corps' regulatory jurisdiction, and these areas may be subject to restrictions or requirements of other state or local government agencies.

If you submit a permit application as a result of this AJD, include a copy of this letter and the map as part of the application. Not submitting the letter and depiction will cause a delay while we confirm an AJD was performed for the proposed permit project area. Note that some or all of these areas may be regulated by other state or local government

entities, and you should contact the South Carolina Department of Health and Environmental Control, Bureau of Water, or Department of Ocean and Coastal Resource Management, to determine the limits of their jurisdiction.

This AJD is valid for five (5) years from the date of this letter unless new information warrants revision before the expiration date. This AJD is an appealable action under the Corps of Engineers administrative appeal procedures defined at 33 CFR Part 331. The administrative appeal options, process and appeals request form is attached for your convenience and use.

This AJD was conducted pursuant to Corps of Engineers' regulatory authority to identify the limits of Corps of Engineers' jurisdiction for the particular site identified in this request. This AJD may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

In all future correspondence, please refer to file number SAC-2022-00214. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact me at (843) 365-4316, or by email at Robert.C.Huff@usace.army.mil.

Sincerely,



Rob Huff
Team Lead

Attachments:

Approved Jurisdictional Determination Form

Notification of Appeal Options

Map entitled "Approved Jurisdictional Determination Exhibit / Apache Tract 1 / Portion of TMS# 155-00-01-054 / North Myrtle Beach, Horry County, South Carolina"

Copies Furnished:

Mr. Charles Oates

The Brigman Company, Inc.

PO Box 1532

Conway, South Carolina 29528

coates@thebrigmancompany.com

SCDHEC - OCRM
1362 McMillan Avenue, Suite 400
North Charleston, South Carolina 29405
OCRMPermitting@dhec.sc.gov

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): May 17, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: JD Form 1 of 1; SAC-2022-00214 Apache Tract 1

C. PROJECT LOCATION AND BACKGROUND INFORMATION: 35-acre site identified as a portion of Tax Map Sequence (TMS) #

155-00-01-054, Situated between Water Tower Road and S.C. Highway 31, in North Myrtle Beach

State: South Carolina County: Horry County City: North Myrtle Beach

Center coordinates of site (lat/long in degree decimal format): Lat. 33.8058°, Long. -78.7935°.

Universal Transverse Mercator:

Name of nearest waterbody: Long Branch

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Atlantic Intracoastal Waterway (AIWW)

Name of watershed or Hydrologic Unit Code (HUC): Little River: 0304020803

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: May 16, 2022

Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

TNWs, including territorial seas

Wetlands adjacent to TNWs

Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs

Non-RPWs that flow directly or indirectly into TNWs

Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

Impoundments of jurisdictional waters

Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.

Wetlands: 3.55 acres.

c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual

Elevation of established OHWM (if known): .

2. Non-regulated waters/wetlands (check if applicable):³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: **Onsite is an upland excavated stormwater pond/barrow area utilized for the construction of S.C Highway 31.**

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW: AIWW.

Subject to ebb and flood of the tide: .

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is “adjacent”:

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are “relatively permanent waters” (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: 35,193 acres

Drainage area: 1,780 acres

Average annual rainfall: 50 inches

Average annual snowfall: 0 inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through **Pick List** tributaries before entering TNW.

Project waters are **1 (or less)** river miles from TNW.

Project waters are **1 (or less)** river miles from RPW.

Project waters are **1 (or less)** aerial (straight) miles from TNW.

Project waters are **1 (or less)** aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain: .

Identify flow route to TNW⁵: Offsite tributary flows directly to the TNW (AIWW)

Tributary stream order, if known:

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: Natural
 Artificial (man-made). Explain:
 Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):

Average width: 6 feet
Average depth: 4 feet
Average side slopes: **3:1**.

Primary tributary substrate composition (check all that apply):

Silts Sands Concrete
 Cobbles Gravel Muck
 Bedrock Vegetation. Type/% cover:
 Other. Explain:

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:

Presence of run/riffle/pool complexes. Explain: Stabilized by vegetation

Tributary geometry: **Relatively straight**

Tributary gradient (approximate average slope): <1 %

(c) Flow:

Tributary provides for: **Seasonal flow**

Estimate average number of flow events in review area/year: **20 (or greater)**

Describe flow regime: Flow is perennial flowing at least 90 percent of the year during normal climatic conditions.

Other information on duration and volume: Tributary is a named tributary on Topo Maps, tributary is documented on the National Hydrography Dataset (NHD) as a main drainage feature within the 1,700 drainage area..

Surface flow is: **Confined**. Characteristics: within the bed and banks of tributary.

Subsurface flow: **Unknown**. Explain findings:

Dye (or other) test performed:

Tributary has (check all that apply):

Bed and banks
 OHWM⁶ (check all indicators that apply):
 clear, natural line impressed on the bank the presence of litter and debris
 changes in the character of soil destruction of terrestrial vegetation
 shelving the presence of wrack line
 vegetation matted down, bent, or absent sediment sorting
 leaf litter disturbed or washed away scour
 sediment deposition multiple observed or predicted flow events
 water staining abrupt change in plant community
 other (list):
 Discontinuous OHWM.⁷ Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by: Mean High Water Mark indicated by:
 oil or scum line along shore objects survey to available datum;
 fine shell or debris deposits (foreshore) physical markings;
 physical markings/characteristics vegetation lines/changes in vegetation types.
 tidal gauges
 other (list):

(iii) **Chemical Characteristics:**

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain: Previous site visits document the following for the offsite tributary water was observed within tributary. Litter and debris were observed within stream. Surrounding land uses consist of forestry and urban development .

Identify specific pollutants, if known: Sediments and stormwater runoff.

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

(iv) **Biological Characteristics. Channel supports (check all that apply):**

- Riparian corridor. Characteristics (type, average width): Forested.
- Wetland fringe. Characteristics:
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings: Suitable for wildlife foraging, nesting and travel corridors

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: 3.55 acres

Wetland type. Explain: Palustrine.

Wetland quality. Explain: Forested partially impaired by adjacent construction, and ongoing mowing.

Project wetlands cross or serve as state boundaries. Explain: N/A

(b) General Flow Relationship with Non-TNW:

Flow is: **Intermittent flow**. Explain: during wetter months of the year and possibly after major storm events.

Surface flow is: **Discrete and confined**

Characteristics: Flow is through adjacent abutting road side ditches that outfall into Long Branch

Subsurface flow: **Unknown**. Explain findings:

Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

Directly abutting

Not directly abutting

Discrete wetland hydrologic connection. Explain: Flow is through adjacent abutting road side ditches that outfall into Long Branch.

Ecological connection. Explain:

Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are **1 (or less)** river miles from TNW.

Project waters are **1 (or less)** aerial (straight) miles from TNW.

Flow is from: **Wetland to navigable waters**

Estimate approximate location of wetland as within the **100 - 500-year** floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: Generally, pocosin type wetlands do not hold surface water, soils are typically saturated to the surface. General watershed is undeveloped areas and downstream developed areas, Timber management lands.

Identify specific pollutants, if known: Sediments and roadway pollutions

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

Riparian buffer. Characteristics (type, average width):

Vegetation type/percent cover. Explain: Pine dominated

Habitat for:

Federally Listed species. Explain findings:

Fish/spawn areas. Explain findings:

Other environmentally-sensitive species. Explain findings:

Aquatic/wildlife diversity. Explain findings: This wetland system enhances a variety of wildlife species by providing diversity through timber type changes and where an aquatic system adjoins an upland system..

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: **15-20**

Approximately (400) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>	<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>
Onsite wetlands Y	3.55 AC	y	+/- 200
		N	+/- 190

Summarize overall biological, chemical and physical functions being performed: This wetland system enhances a variety of wildlife species by providing diversity through timber type changes and where an aquatic system adjoins an upland. Due to surrounding land uses of development and silvicultural practices, these wetlands act as a catch basin for adjacent uplands filtering sediment and other pollutants and/or reducing the amount of flood waters reaching the TNW..

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: The tributary and it's adjacent wetlands have the ability to: carry pollutants and floodwaters to the downstream TNW; provide habitat for wildlife and aquatic species; transfer nutrients that support downstream foodwebs. Previous visit to the offsite tributary reveal sediments observed that were transported through the tributary from adjacent roads which is evidence of the streams ability to transfer nutrients and other carbons to downstream foodwebs as well as the capacity to carry pollutants to the downstream TNW. In addition the non-abutting wetlands are forested partially impaired. It is reasonable to believe that wildlife foraging and nesting occur within the adjacent wetlands. Due to the topography of the area, less than 1 percent slope, the wetland system has limited flushing capabilities however aquatic life uses are fully supported. Physical functions of these wetlands included flood attenuation, and groundwater exchange.
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
 - TNWs: linear feet width (ft), Or, acres.
 - Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**

- Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: Tributary has been previously determined to have a flow regime of perennial on previous site visit for adjacent Jurisdictional Determinations. Tributary is depicted as a solid blue line named feature on USGS Topo maps. NHD documents the tributary as a main drainage feature in the 1700 acre drainage area .
- Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

Provide estimates for jurisdictional waters in the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters: .

3. **Non-RPWs⁸ that flow directly or indirectly into TNWs.**

- Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

- Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
 - Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
 - Wetlands directly abutting an RPW where tributaries typically flow “seasonally.” Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

- Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: **3.55** acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.⁹**

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from “waters of the U.S.,” or
- Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
- Demonstrate that water is isolated with a nexus to commerce (see E below).

⁸See Footnote # 3.

⁹ To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
- from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- which are or could be used for industrial purposes by industries in interstate commerce.
- Interstate isolated waters. Explain: .
- Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: linear feet width (ft).
- Other non-wetland waters: acres.
Identify type(s) of waters: .
- Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - Prior to the Jan 2001 Supreme Court decision in “*SWANCC*,” the review area would have been regulated based solely on the “Migratory Bird Rule” (MBR).
- Waters do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction. Explain: .
 - Other: (explain, if not covered above): Onsite is an upland excavated stormwater pond/barrow area utilized for the construction of S.C Highway 31.**

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Maps and report submitted by the Brigman Company within the submittal dated February 2, 2022.
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: .
- Corps navigable waters’ study: .
- U.S. Geological Survey Hydrologic Atlas: .
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Hand.

¹⁰ Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- USDA Natural Resources Conservation Service Soil Survey. Citation:Horry County Soil Survey depicts leon for the delineated wetlands: .
- National wetlands inventory map(s). Cite name:Horry NWI depicts wetlands and uplands onsite. .
- State/Local wetland inventory map(s): .
- FEMA/FIRM maps: .
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date):2006 SCDNR and Google Earth Photos.
or Other (Name & Date):Site photos submitted by the applicant dated 2/1/2022 submitted by Brigman 2/2/2022.
- Previous determination(s). File no. and date of response letter:Adjacent JDs SAC-2022-00263, 2021-01869, 2012-02413, 2021-01224, 2015-00054, 2017-00118, 2014-00857.
- Applicable/supporting case law: .
- Applicable/supporting scientific literature: .
- Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: Offsite tributary was determined to be an RPW with perennial flow by review of adjacent JDs. Site visit was not performed for this determination. Previous site visits documented limits of jurisdiction for offsite tributary was established by a well defined OHWM. Limits of jurisdiction of wetlands were established by 1987 Delineation Manual. It was determined and documented in Section III C of this form that both the tributary and it's adjacent wetlands to have a significant nexus with the downstream TNW. In addition, wetlands were adjacent non-abutting with a direct hydrologic connection to the offsite tributary. Finally, the site contains a upland excavated stormwater pond/barrow area that was determined not to be an impoundment of any waters of the US.

State plane NAD83 (feet)		
FID	LAT	LONG
0	33.807181	-78.795508
1	33.807533	-78.791651
2	33.808117	-78.78897
3	33.8073	-78.790022
4	33.802922	-78.79468
5	33.803987	-78.795166



Approved Jurisdictional Determination Exhibit
 Apache Tract 1
 Portion of TMS# 155-00-01-054
 North Myrtle Beach, Horry County, South Carolina
 February 2, 2022



6A. MAJOR PLANNED DEVELOPMENT DISTRICT AMENDMENT Z-22-32: City staff received an application for a major amendment to the Parkway Group Planned Development District (PDD) creating the McDowell Corporate Center.

History & Background

The Parkway Group PDD was originally entitled in 2008. The originally approved PDD was approximately 1,363 acres and contained a variety of commercial and residential uses. Today, progress is being made on design and construction throughout the PDD with projects such as the Grande Dunes North Village, Village at Waterway Hills, Waterside, The Preserve, Palmetto Coast Industrial Park, and the UPS Facility. The Planning Commission postponed this item at their December 6, 2022, meeting to allow the applicant to address staff comment.

Proposed Changes

The applicant, Thomas McDowell, developer and agent for the current owner, has requested an amendment to the Parkway Group PDD revising the Commercial-2 section of the Apache tract into the McDowell Corporate Center. Understanding that the first conceptual-level designs of this area were predicted to change, the originally entitled PDD illustrated a total of 81,977 square feet of commercial use with 273 parking spaces in this area.

The McDowell Corporate Center proposal is 35.71 acres with 3.55 acres occupied by wetlands and 7.05 acres occupied by an existing pond to remain in the proposed development. A 20-foot-wide water quality buffer is provided around existing wetlands on the site. The site is accessed by two full driveway and three additional, right-in/right-out driveways off Water Tower Road. Elevations and rendering are only included for building one on parcel one; the architecture of this building is a modern corporate industrial in tilt-up concrete construction with colored horizontal banding. The PDD document allows the following finishes: Colored/painted concrete, EIFS, stone, synthetic wood, split faced block or a mixture of these elements. Metal siding/sheathing is limited to 5% of any building elevation. Vinyl and cementitious siding are not allowed. The proposed elements of the corporate center are detailed in the below table:

Parcel	Building Area (SF) & Height	Parking Spaces	Other Elements
1: 7.03 Acres	Building 1: 50,000 SF, 30' Height	55 Spaces	<ul style="list-style-type: none"> • 2.5 Acres of Fences Concrete Hardstand • 12,000 SF Shed
2: 5.14 Acres	Building 2: 39,780 SF with 2-Stories (76,560 SF Total), 50' Height	174 Spaces	NA
3: 4.63 Acres	Building 3: 6,000 SF with 2-Stories (12,000 SF Total), 50' Height Building 4: 9,000 SF with 2-Stories (18,000 SF Total), 50' Height	169 Spaces	NA
4: 8.35 Acres	Building 5: 57,500 SF with 2-Stories (115,000 SF Total), 50' Height	86 Spaces	<ul style="list-style-type: none"> • 38,000 SF of Concrete Hardstand • 43,000 SF Pond
5: 10.56 Acres	NA – All Common Area	NA	<ul style="list-style-type: none"> • 264,000 SF Existing Pond
Total	278,300 SF	504 Spaces,	143,900 SF Hardstand

Staff Review

Planning & Development, Planning Division

The Planning Department has no issue with the proposed amendment but would like to mention that as building sites and details are developed, these elements will have to come back as amendments.

Planning & Development, Zoning Division

The Zoning Administrator has no issue with the proposed amendment.

Public Works

The Public Works Department has no issue with the proposed amendment.

Public Safety

The Fire Marshal reserves the right to comment on access widths, truck radii, and fire hydrant spacing at the construction level but has no issue with the proposed amendment.

According to § 23-4, *Amendments*, of the Zoning Ordinance, the advertisement requirement for Zoning Ordinance amendments is 15 days, and that advertisement notice has been met. The amendment is presented to the Planning Commission for a recommendation that will be forwarded to City Council at their next meeting scheduled for April 3, 2023.

Planning Commission Action

The Planning Commission may recommend approval, recommend approval with modifications and/or conditions, or recommend denial of the proposal as submitted.

Alternative Motions

- 1) I move that the Planning Commission recommend approval of the major planned development district amendment to the Parkway Group PDD creating the McDowell Corporate Center [Z-22-32] as submitted.

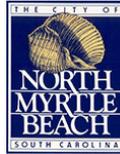
OR

- 2) I move that the Planning Commission recommend denial of the major planned development district amendment to the Parkway Group PDD creating the McDowell Corporate Center [Z-22-32] as submitted.

OR

- 3) I move (an alternate motion).

PDD Zoning Finance Account Code:	3.22
FEE PAID:	\$500.00 on October 31, 2022
FILE NUMBER:	Z-22-32
Complete Submittal Date:	October 31, 2022



Notice Published:	November 17, 2022
Planning Commission:	December 6, 2022
First Reading:	January 9, 2023
Second Reading:	February 6, 2023

City of North Myrtle Beach, SC

Application for a Major Amendment to a Planned Development District (PDD)

GENERAL INFORMATION

Date of Request: October 27, 2022	Property PIN(S): 38900000003
Property Owner(s): Apache Properties LLC	Type of Zoning Map Amendment: Major PDD Amendment
Address or Location: Apache Tract parcel A-3 Watertower Road	Project Contact: Thomas McDowell
Contact Phone Number: 843.831.0057	Contact Email Address: ed@mcdowellconstruction.com
PDD Name: Apache Tract	Total Area of Property: 268.1 Acres
Proposed Amendment: Applying for a major ammendment to chage the zoning to include light industrial	

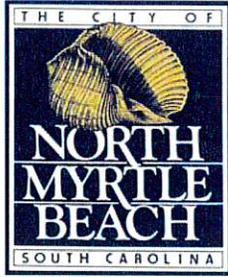
RECORDED COVENANT INFORMATION

I hereby certify that the tract(s) or parcel(s) of land to which this approval request pertains is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought, as provided in South Carolina Code of Laws (§ 6-29-1145).

Applicant's E-signature: Thomas McDowell

This form complies with a state law that took effect on July 1, 2007 (S.C. Code § 6-29-1145) that requires all planning agencies to inquire in an application for a permit if the parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity. If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received. The release must be through the action of an appropriate legal authority.

1018 2nd Avenue South · North Myrtle Beach, SC 29582 · Telephone: (843) 280-5566 · Facsimile: (843) 280-5581



CITY OF NORTH MYRTLE BEACH
LETTER OF AGENCY

Revision Date 05.24.19

Today's Date: 10/27/20

Nature of Approval Requested: PDD Amendment



Property PIN(s): 38900000003

Property Address/Location: Apache Tract watertower rd.

I, Keith Hinson, hereby authorize Ed McDowell/MCC Watertower 1 LLC

to act as my agent for for the purposes of the above referenced approval.

Signature

Signature

Title

Title

Signature

Signature

Title

Title

Signature

Signature

Title

Title

Please have all property owners sign application; disregard additional spaces if not needed. If additional signature lines are required, please duplicate this sheet and bind all sheets together into one document.

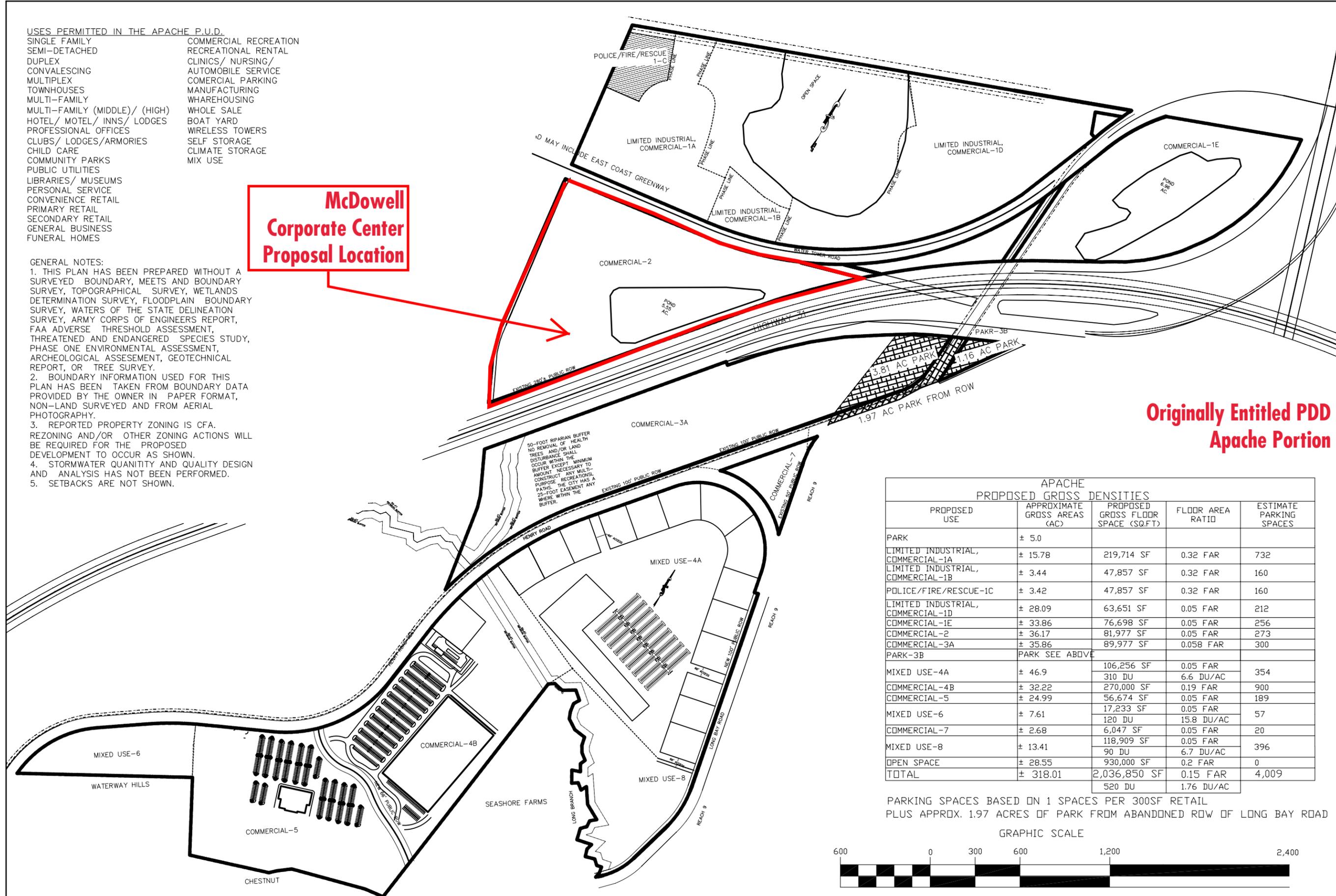
USES PERMITTED IN THE APACHE P.U.D.

- | | |
|-------------------------------|-----------------------|
| SINGLE FAMILY | COMMERCIAL RECREATION |
| SEMI-DETACHED | RECREATIONAL RENTAL |
| DUPLEX | CLINICS/ NURSING/ |
| CONVALESCING | AUTOMOBILE SERVICE |
| MULTIPLEX | COMERCIAL PARKING |
| TOWNHOUSES | MANUFACTURING |
| MULTI-FAMILY | WHAREHOUSING |
| MULTI-FAMILY (MIDDLE)/ (HIGH) | WHOLE SALE |
| HOTEL/ MOTEL/ INNS/ LODGES | BOAT YARD |
| PROFESSIONAL OFFICES | WIRELESS TOWERS |
| CLUBS/ LODGES/ARMORIES | SELF STORAGE |
| CHILD CARE | CLIMATE STORAGE |
| COMMUNITY PARKS | MIX USE |
| PUBLIC UTILITIES | |
| LIBRARIES/ MUSEUMS | |
| PERSONAL SERVICE | |
| CONVENIENCE RETAIL | |
| PRIMARY RETAIL | |
| SECONDARY RETAIL | |
| GENERAL BUSINESS | |
| FUNERAL HOMES | |

GENERAL NOTES:

1. THIS PLAN HAS BEEN PREPARED WITHOUT A SURVEYED BOUNDARY, MEETS AND BOUNDARY SURVEY, TOPOGRAPHICAL SURVEY, WETLANDS DETERMINATION SURVEY, FLOODPLAIN BOUNDARY SURVEY, WATERS OF THE STATE DELINEATION SURVEY, ARMY CORPS OF ENGINEERS REPORT, FAA ADVERSE THRESHOLD ASSESSMENT, THREATENED AND ENDANGERED SPECIES STUDY, PHASE ONE ENVIRONMENTAL ASSESSMENT, ARCHEOLOGICAL ASSESEMENT, GEOTECHNICAL REPORT, OR TREE SURVEY.
2. BOUNDARY INFORMATION USED FOR THIS PLAN HAS BEEN TAKEN FROM BOUNDARY DATA PROVIDED BY THE OWNER IN PAPER FORMAT, NON-LAND SURVEYED AND FROM AERIAL PHOTOGRAPHY.
3. REPORTED PROPERTY ZONING IS CFA. REZONING AND/OR OTHER ZONING ACTIONS WILL BE REQUIRED FOR THE PROPOSED DEVELOPMENT TO OCCUR AS SHOWN.
4. STORMWATER QUANTITY AND QUALITY DESIGN AND ANALYSIS HAS NOT BEEN PERFORMED.
5. SETBACKS ARE NOT SHOWN.

**McDowell
Corporate Center
Proposal Location**



**Originally Entitled PDD
Apache Portion**

APACHE PROPOSED GROSS DENSITIES				
PROPOSED USE	APPROXIMATE GROSS AREAS (AC)	PROPOSED GROSS FLOOR SPACE (SQ.FT)	FLOOR AREA RATIO	ESTIMATE PARKING SPACES
PARK	± 5.0			
LIMITED INDUSTRIAL, COMMERCIAL-1A	± 15.78	219,714 SF	0.32 FAR	732
LIMITED INDUSTRIAL, COMMERCIAL-1B	± 3.44	47,857 SF	0.32 FAR	160
POLICE/FIRE/RESCUE-1C	± 3.42	47,857 SF	0.32 FAR	160
LIMITED INDUSTRIAL, COMMERCIAL-1D	± 28.09	63,651 SF	0.05 FAR	212
COMMERCIAL-1E	± 33.86	76,698 SF	0.05 FAR	256
COMMERCIAL-2	± 36.17	81,977 SF	0.05 FAR	273
COMMERCIAL-3A	± 35.86	89,977 SF	0.058 FAR	300
PARK-3B	PARK SEE ABOVE			
MIXED USE-4A	± 46.9	106,256 SF 310 DU	0.05 FAR 6.6 DU/AC	354
COMMERCIAL-4B	± 32.22	270,000 SF	0.19 FAR	900
COMMERCIAL-5	± 24.99	56,674 SF	0.05 FAR	189
MIXED USE-6	± 7.61	17,233 SF 120 DU	0.05 FAR 15.8 DU/AC	57
COMMERCIAL-7	± 2.68	6,047 SF	0.05 FAR	20
MIXED USE-8	± 13.41	118,909 SF 90 DU	0.05 FAR 6.7 DU/AC	396
OPEN SPACE	± 28.55	930,000 SF	0.2 FAR	0
TOTAL	± 318.01	2,036,850 SF 520 DU	0.15 FAR 1.76 DU/AC	4,009

PARKING SPACES BASED ON 1 SPACES PER 300SF RETAIL PLUS APPROX. 1.97 ACRES OF PARK FROM ABANDONED ROW OF LONG BAY ROAD



NO.	DESCRIPTION	DATE	BY
1	DENSITY/SF, AMENITY	7/7/08	RM
2	CITY COMMENTS	8/22/08	RM
3	CITY COMMENTS	10/1/08	RM

**CIVIL & LAND
RESOURCES, INC.**
PREPARED FOR APACHE LLC
P.O. BOX 774657 SC 29572
MYRTLE BEACH, SC
P (843) 839-3640
F (843) 839-3641

MASTER SITE PLAN

**APACHE P.U.D.
PREPARED FOR
APACHE LLC.**

PROJECT: APACHE P.U.D. PREPARED FOR APACHE LLC.
REF. PB.:
REF. DB.:
TMS: 155-00-01-054
DRAWN BY:
ENGR:
REF. DWG.: